

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27996 of 2020**

Arising Out of PS. Case No.-30 Year-2020 Thana- BARAUNI RAIL P.S. District- Begusarai

RUKMANI DEVI W/o Bhikhaman Nisad Resident of Village-Simariya, Bind
Tola, Ward No.21, P.S.-Chakiya OP, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 04-11-2020 Learned counsel for the petitioner undertakes to

remove the defects, if any, within four weeks after start of

normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.

Akhileshwar Dayal, learned APP for the State in absence of Mr.

Rajiv Nayan, learned APP.

The petitioner in the present case is seeking regular

bail in connection with Barauni Rail P.S. Case No.30/2020

registered for the offence under Section 30(a) of the Bihar

Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that as per

the allegation 30 liters of illicit country made liquors were

recovered from the possession of the petitioner while she was



going to board her train at Barauni. Learned counsel submits that the petitioner who is a lady has got no criminal antecedent and has remained in jail in connection with this case since 02.03.2020.

On the other hand, learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case wherein the petitioner has remained in jail since 02.03.2020, investigation against her is complete and there is no submission that her release at this stage is likely to interfere with the evidence or course of trial, let the petitioner abovenamed be released on bail on furnishing bail bond of Rs.25,000 (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Excise, Begusarai in connection with Barauni Rail P.S. Case No.30/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner.

And further condition that she will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

