

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22322 of 2020**

Arising Out of PS. Case No.-41 Year-2020 Thana- KUNDWACHAINPUR District- East
Champaran

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BISHESHI DEVI W/o Panchu Mukhiya @ Panchu Lal Mukhiya Resident of
Village - Bisrhiya, P.S.- Dhaka, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Narendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 04-09-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Kundwa Chainpur P.S. Case No. 41 of 2020, disclosing offence punishable under Sections 272, 273/34 of the Indian Penal Code and Sections 30(a), 41(1) of the Bihar Prohibition and Excise Act, 2016.

It is the case of the prosecution that the police on suspicion had intercepted a motorcycle. From the motorcycle rider and the pillion rider the police recovered Nepalese country-made liquor. Allegedly, from the petitioner's possession 18 litres of illicit liquor was recovered.

It has been stated in paragraph 3 of the application that the petitioner has no criminal antecedent and for the first



time she has been implicated on the allegation of commission of such offence. She is in custody since 11.03.2020.

Considering the facts and circumstances, particularly, the fact that she is in custody since 11.03.2020, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Special Judge, Excise, East Champaran at Motihari, in Kundwa Chainpur P.S. Case No. 41 of 2020.

It is directed that defects in the application pointed out by the Registry must be removed within two months from today.

Since there is a lockdown, the Court has considered it appropriate to adopt following procedure for communication of the present order:-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.



(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social-distancing.

(Chakradhari Sharan Singh, J)

Rajesh/-

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