

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.32612 of 2020**

Arising Out of PS. Case No.-91 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Buxar

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MEENA DEVI W/o Ramjas Singh @ Ramyash Singh Resident of Village-
Jagdishpur, Near Pokhra Ke Pas, P.S-Buxar (Muffasil), District-Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Shantanu Kumar, APP

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

2 09-12-2020 Learned counsel for the petitioner undertakes to remove

all the defects pointed out by the Stamp Reporter within four weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner in the present case is seeking regular bail in
connection with Excise Case No. 91(O) of 2020 registered for the
offences punishable under Section 30(a) of Bihar Prohibition and
Excise Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case. It
is submitted that the illicit liquor was recovered from the backside of
the courtyard of the house of the petitioner and not from conscious
possession of the petitioner. The petitioner is a female member of the
family and is in custody in connection with this case since



14.08.2020 as also she has no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein it is the submission of learned counsel for the petitioner that the illicit liquor was recovered from the backside of the courtyard of the house of the petitioner and that was not in conscious possession of this petitioner who is a female member of the family and is in custody in connection with this case since 14.08.2020, investigation against her is complete and then there is no submission on behalf of the State that her release at this stage is likely to result in tampering with evidence or interfering with the course of trial, she has otherwise no criminal antecedent, let the petitioner above-named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each, to the satisfaction of learned Additional District and Session Judge 2nd cum Special Judge, Excise, Buxar in connection with Excise Case No. 91(O) of 2020, subject to the conditions as laid down under Section 437(3) of the 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 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.

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 step for cancellation of bail bond of the petitioner.

The application is allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Rajeev

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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'.

