

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.34139 of 2020**

Arising Out of PS. Case No.-174 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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RANJU DEVI Wife of Shri Parmanand Singh Resident of Village- Vrindavan,
P.S.- Naokoti, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Udbhav,Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh No. 5, APP

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

2 16-12-2020 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 Mr. Arun
Kumar Singh No. 5, learned APP for the State.

The petitioner in the present case is seeking regular bail in
connection with Complaint Case No. 174C2 of 2020 registered for
the offence punishable under Section 30(a) of the Bihar Prohibition
& Excise Act.

Learned counsel for the petitioner submits that the Excise
officials raided the house of the petitioner and recovered 195.165
illicit liquor from the backside of the house in a ditch.

Learned counsel submits that the alleged recovery has
been made from the backyard of the house of the petitioner and the
petitioner has been made accused along with her son. It is submitted



that the petitioner is in custody since 04.09.2020 having 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 the recovery of illicit liquor is said to have been made from the backyard of the house of the petitioner and the petitioner has been involved in this case alleging that she was also involved in the sale of liquor with her son who is co-accused in this case, the petitioner has otherwise no criminal antecedent, she has remained in jail for over 3 months, investigation against her is complete and the trial is not likely to be concluded in near future, there being no submission on behalf of the State that the release of the petitioner would result in tampering with evidence or interfering with the course of trial, 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 Sessions Judge II-cum-Special Judge Excise, Begusarai in connection with Complaint Case No. 174C2 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)

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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'.

