

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74670 of 2019**

Arising Out of PS. Case No.-561 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

Tara Devi Wife of Parshuram Bind Resident of Village - Betari, P.S.- Bhabua,
District- Kaimura at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 31-01-2020 Heard learned counsel for the petitioner and
Additional Public Prosecutor for the State.

The petitioner seeks bail in **Bhabhua P.S. Case No. 561 of 2019 Excise Case No. 700 of 2019**, registered for the offence punishable under Sections 30(a), 32(1)(2) of the Bihar Prohibition and Excise Act, 2016.

141.120 litres of country made liquor is alleged to have been recovered from the house of this petitioner. Parsuram Bind (petitioner's husband) and Tempu Pawan @ Rakesh were arrested on the spot.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner. The house in question is in joint possession. The



provision of section 100 Cr.P.C has not been followed. There is no allegation of tampering with the evidence against this petitioner. Petitioner claims clean antecedent. Petitioner is in custody since 23.09.2019.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional Sessions Judge 3rd -cum-Special Judge Excise Act, Kaimur at Bhabhua** in connection with **Bhabhua P.S. Case No. 561 of 2019 Excise Case No. 700 of 2019**, subject to the conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, her bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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