

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 18090 of 2021**

Arising Out of PS. Case No.-700 Year-2020 Thana- ARA NAGAR District- Bhojpur

CHANDRA TARA DEVI @ CHAND TARA DEVI WIFE OF RAJWANSH
CHAUHAN RESIDENT OF VILLAGE- DHARHARA, POLICE STATION
ARA TOWN, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ravi Prakash, Advocate

For the Opposite Party/s : Mr Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 22-10-2021 This case has been taken up today for consideration
through Video Conferencing.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, *APP*) appearing for
the State of Bihar.

The petitioner seeks bail in Excise Case No 2054 of
2020 arising out of Ara Nagar Police Station (for brevity, *PS*)
Case No 700 of 2020 instituted for the offence punishable under
Section 30 (a) of Bihar Prohibition and Excise Act.

From the petitioner's house, there is alleged recovery
of 50 liters of country made wine in two plastic bags.

It is submitted by the petitioner's counsel that, being a
female member of the house, she has no concern with the



alleged recovery. The petitioner is in custody since 24.12.2020. Recovery is not in accordance with law and she has no criminal antecedents.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on her furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge IV, Bhojpur at Ara in connection with Excise Case No 2054 of 2020 arising out of Ara Nagar PS Case No 700 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.



Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

U		T	
---	--	---	--

