

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17881 of 2021**

Arising Out of PS. Case No.-2 Year-2021 Thana- CHANDRAMANDI District- Jamui

1. BABITA DEVI W/O RAJA RAM R/O VILLAGE DARIYAPUR CHOWK,
P.S HATHIDAH DISTRICT PATNA
2. SUDHA DEVI W/O SADHU DAS R/O VILLAGE BARAUNI
FULBARIYA, P.S FULBARIYA, DISTRICT-BEGUSARAI.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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

2 02-07-2021 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. Md. Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Chandramandi P.S. Case No. 02 of 2021 registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code as well as u/s 30 (a) of the Bihar Prohibition & Excise Act, 2018

Learned counsel for the petitioner submits that as per the prosecution story, the informant got secret information that three ladies are involved in carrying liquor through a tempo. The informant reached at the given place and spotted a tempo in which three women



were found sitting and the informant recovered 337 liters of country made liquor from the said tempo.

Learned counsel submits that the petitioners have falsely been implicated in this case. It is submitted that the petitioners are pardanashin ladies and they have no concern either with the tempo or the allegedly seized liquor. The petitioners are in custody since 04.01.2021 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 this Court noticed that these petitioners are said to be pardanashin ladies, they have no criminal antecedent and in connection with the present case they have remained in jail since 04.01.2021, investigation against them is complete but the trial is not likely to be taken up in near future, this Court directs release of the petitioners above named on bail on furnishing of bail bonds 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, Jamui in connection with Chandamandi P.S. Case No. 02 of 2021, subject to the conditions as laid down under Section 437(3) 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 is suspected, and

(c) that such persons shall not directly or indirectly make and 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 the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands 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'.

