

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20401 of 2021

Arising Out of PS. Case No.-7 Year-2021 Thana- LAKHNAUR District- Madhubani

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Fulo Devi W/O Suresh Yadav R/o village- Biarpur, P.S.- Lakhnour, District-
Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr. Anand Kishore Choudhary A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 14-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Lakhnour P.S. Case No. 07 of 2021, corresponding to G.R. No. 124 of 2021, registered for the offence under Sections 341, 323, 353, 504, 272, 273/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

504.9 liters of foreign liquor has been recovered from a pick-up van, which was parked in front of the house of the petitioner. It is further alleged that when informant inquired from the petitioner regarding pick-up van, the petitioner is said to have bit by her teeth on the informant's hand.

It is submitted on behalf of the petitioner that the entire prosecution case is false and fabricated and no such occurrence has taken place. Petitioner has got no concern either with the seized pick-up van or liquor. Petitioner, who is lady



aged about 45 years, has got clean antecedent and she is in custody since 19.01.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge II cum Special Judge, Excise Act, Madhubani in connection with Lakhnaur P.S. Case No. 7 of 2021, corresponding to G.R. No. 124 of 2021, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on her absence on two consecutive dates without sufficient reason, her bail-bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

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