

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23375 of 2021**

Arising Out of PS. Case No.-54 Year-2021 Thana- KHAGARIA District- Khagaria

Sangita Devi W/O Kanhaiya Pandey Resident Of Mg Road Ward No 17 Ps
Khagaria District Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate

For the Opposite Party/s : Mr.Chandra Sen Pd. Singh, APP

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

2 13-09-2021 Heard learned counsel for the petitioner and Mr.
Chandra Sen Pd. Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Khagaria P.S. Case No. 54/2021 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act. She is in custody since 14.01.2021.

As per the prosecution story, while the informant got secret information that the huge quantity of illegal liquor is present in the house of one Kanhaiya Pandey, he reached at his house and one lady was apprehended and two other persons succeeded to flee away and on search total 61.38 liters of illicit liquor were recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, this petitioner

is a female member of the family having no criminal antecedent and she is in custody since 14.01.2021.

Mr. Chandra Sen Pd. Singh, 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 it is the submission of learned counsel for the petitioner that this petitioner is a female member of the family having no criminal antecedent, recovery is from the Verandah of the house which is an open place and the same was not in exclusive control of the petitioner, her husband and son have also been made accused in this case and they have been arrested, the petitioner has remained in jail in connection with this case since 14.01.2021, this Court directs release of the petitioner above named 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 Special Judge, Excise Act, Khagaria in connection with Khagaria P.S. Case No. 54/2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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. 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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.