

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27520 of 2021

Arising Out of PS. Case No.-4 Year-2021 Thana- ROSERA District- Samastipur

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Amlesh Devi Wife Of Vinod Mukhiya R/O Village- Vishanpur, P.S.- Rosera,
Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Adv

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 14-06-2021 Heard learned counsel for the parties.

Petitioner apprehend her arrest in a case registered for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Allegation is of recovery of 20 litre illicit country made liquor from the house of Vinod Mukhiya and 10 litre from the house of Sudama Devi.

It has been submitted on behalf of petitioner that she is innocent and recovery has been shown from house of Vinod Mukhiya who has been made accused and as petitioner is wife of Vinod Mukhiya she has been implicated in this case. It is

further submitted that nothing has been recovered from the possession of the petitioner and she has no concern with illicit liquor. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks from today upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with , subject to the conditions laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) 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.

(4). If the petitioner is found involved in similar nature of offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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