

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35585 of 2021

Arising Out of PS. Case No.-81 Year-2021 Thana- PHULWARIYA District- Gopalganj

Munni Jaiswal Wife Of Rupesh Kumar Chaudhary @ Rupesh Kumar
Resident of Village - Thakurbari Road, Ward No.26, P.S.- Supaul, Distt.-
Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Munish Kumar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Phulwariya P.S. Case No.
81 of 2021, registered for the offence punishable punishable
under Section 420/34 of the Indian Penal Code, section
182A(4)/177/179 of the Motor Vehicles Act and section 30(a) of
the Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, this petitioner along with
two co-accused persons were apprehended on the spot with a
Car, on search of the said Car, 107.25 litres of foreign liquor has
been recovered.

It is submitted that petitioner is a lady and she has got



nothing to do with the alleged recovery. No recovery has been made from conscious possession of this petitioner and she is neither the owner nor the driver of vehicle in question. Petitioner is in custody since 12.03.2021 having no criminal antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge Excise, Gopalganj in connection with Phulwariya P.S. Case No. 81 of 2021, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, her bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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