

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31797 of 2020

Arising Out of PS. Case No.-208 Year-2020 Thana- RAJGIR District- Nalanda

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Rekha Devi, Gender-Female, aged about 55 years, Wife of Arun Prasad, resident of Village- Thhera, Police Station- Chhabilapur in the district of Nalanda. At present resident of Mohalla- Panchwati Nagar, Police Station- Rajgir in the district of Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the State : Mr. Ram Naresh Roy, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 05-01-2021

Heard Mr. Sunil Kumar, learned counsel for the petitioner and Mr. Ram Naresh Roy, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner is in custody in connection with Rajgir PS Case No.208 of 2020 dated 25.06.2020, instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is that from her house 72.840 litres of foreign liquor was recovered.

4. Learned counsel for the petitioner submitted that though she is the owner of the house, but whatever recovery has been made, does not belong to her and further, that besides



being a lady, she has no criminal antecedent. Learned counsel submitted that the petitioner is in custody since 27.06.2020.

5. Learned APP submitted that recovery has been made from the house belonging to the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional District and Sessions Judge III-cum-Special Judge (Excise), Nalanda at Biahrrsharif, in Rajgir PS Case No.208 of 2020, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that she shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of her bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates,



without sufficient cause, shall also lead to cancellation of her bail bonds.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

J. Alam/-

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