

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40784 of 2020**

Arising Out of PS. Case No.-80 Year-2020 Thana- TANKUPPA District- Gaya

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KANTI DEVI @ KUNTI DEVI W/O Late Bahadur Chaudhary Resident Of
Village - Barara, P. S. - Tankuppa, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 26-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 26.09.2020 in connection with Tankuppa P.S. Case No. 80/2020 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 10 litres of Mahua liquor is recovered from outside the house of the petitioner.

It is submitted on behalf of the petitioner that petitioner a lady and she has been falsely implicated in this case on the basis of suspicion. It is further submitted that nothing has been recovered from the conscious possession of the petitioner and the alleged recovery has been made from outside the house of the petitioner which is an open field and accessible to general



public. Chargesheet has already been submitted in this case. Petitioner has got one criminal antecedent i.e., Tankuppa P.S. Case No. 97/2019 in which she is on bail.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Special Judge, Excise, Gaya, in connection with Tankuppa P.S. Case No. 80/2020, subject to following conditions:-

(1) 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 on her absence on two consecutive dates without sufficient reason, her bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers 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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