

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9128 of 2021

Arising Out of PS. Case No.-34 Year-2020 Thana- BRAHMPURA District- Muzaffarpur

RABEENA KHATOON D/o Jaheer Khan Resident of Village - Shamsha
Mansoor Chak, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Kumari, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-07-2021

In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Brahmpura PS Case No. 34 of 2020 registered under Sections 25(1-b)a, 25(1-b)a,a,a, 25(1-b)a, 26, 35 of the IPC and Sections 30(a) of Bihar Prohibition and Excise Act, 2016 .

Several cartridges and liquor has allegedly been recovered from the petitioner and other co-accused. There is alleged recovery of 200 cartridges from the petitioner.

Learned Counsel for the petitioner submits that being a lady, the petitioner has become victim of the circumstances. Other similarly situated, as the petitioner, from whom there is alleged recovery of cartridges have been allowed bail in Cr. Misc. Nos. 27557 of 2020, 31494 of 2020 and 20094 of 2020. The petitioner has been in custody now since 6.2.2020 and there is no criminal



antecedent of the petitioner.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Muzaffarpur in Brahmpura PS Case No. 34 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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