

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3889 of 2022

Arising Out of PS. Case No.-928 Year-2021 Thana- NAGAR District- Vaishali

NUTAN KUMARI @ KUMARI PINKI, W/o Vikash Singh @ Hera Singh
R/o village- Chiknauta, P.S.- Town, Hajipur, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 22-06-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Town
P. S. Case No. 928 of 2021, registered for the offences
punishable under Section 30 (a) Bihar Prohibition and Excise
(Amendment) Act, 2018.

As per allegation, 49.125 litres of liquor were
recovered from different vehicles parked in the house
premise of the petitioner and also from the Diwan lying in
the house.

The learned counsel for the petitioner submits that
nothing has been recovered from the conscious possession of



the petitioner. The petitioner is a student of Dr. Ram Balak Singh Gaya Homeopathic Medical College & Hosptia Amwan, Bodhgaya and is studying there. The learned counsel for the petitioner has further submitted that on the instance of the neighbours, she and her family members are dragged in the present case.

It is also stated in paragraph no. 2 of the petition that the petitioner has not earlier moved before this Hon'ble Court for either anticipatory bail or regular bail.

It has further been stated that the petitioner has been made accused in one case bearing Town P. S. Case No. 802 of 2019, registered for the offences under Section 138 Negotiable Instruments Act, 1881; Sections 406, 420 and 506 of the Indian Penal Code; and Section 27 of the Arms Act, 1959.

However, the learned APP for the State has opposed the prayer for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on her furnishing bail bonds in the sum of Rs. 10,000 /-



(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1-cum- 2nd Additional District and Sessions Judge, Vaishali at Hajipur, in connection with Town P. S. Case No. 928 of 2021 on the following conditions:

(i) The petitioner will make herself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of her absence or non-cooperation. She must be available to the police or the court whenever her presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing her and getting



satisfied that the petitioner has concealed her criminal antecedent despite her knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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