

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9885 of 2022

Arising Out of PS. Case No.-10 Year-2022 Thana- SABAUR District- Bhagalpur

Rinku Devi Wife of Manoj Mandal Resident of Village- Faradpur, Ward No.
-5, P.S.- Kharik, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha
For the Opposite Party/s : Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Sabour
P.S. Case No. 10 of 2022 corresponding to Special Excise Case
No. 37 of 2022 registered for the offence under Sections 30(a)
of the Bihar Prohibition and Excise (Amendment) Act, 2016.

The accused/petitioner is named in the F.I.R. and is in
custody since 10.01.2022.

The allegation against the petitioner, to have in
possession of 33 liter of country made liquor .

Learned counsel appearing on behalf of the petitioner
submitted that recovery has not been made from the conscious



physical possession of the petitioner. It has further been submitted that seizure list is disputed as the same has not been supported by independent witness. It has also been submitted that petitioner is a lady and have clean antecedent.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that the recovery has not been made from the conscious physical possession of the petitioner.

Considering the facts and circumstances as mentioned above, as the recovery has not been made from the conscious physical possession of the petitioner coupled with the fact that petitioner is a lady, let the petitioner, above named, is directed to be released on bail in connection with Sabour P.S. Case No. 10 of 2022 corresponding to Special Excise Case No. 37 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Exclusive Special Court No.2, Bhagalpur, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing the State shall be at liberty to move before the Trial



Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(iii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

Ankit/-

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