

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13982 of 2022

Arising Out of PS. Case No.-295 Year-2021 Thana- BHAGWANPUR District- Vaishali

KIRAN DEVI, W/o Manjay Sahani Resident of Village - Bauthu, P.S.-
Bhagwanpur, Dsitt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Prabhat

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for 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 regular bail in connection with
Bhagwanpur P.S. Case No. 295 of 2021 for the offence
punishable under Sections 272 and 273/34 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

As per the allegation made in the F.I.R., 85 litres of
country made liquor and 8.28 litres of foreign liquor were
recovered from the house of the petitioner, kept in a jute bag.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is innocent and he has falsely been implicated in the present case. He further submits that the house from which recovery has been made is in joint possession. Nothing has been recovered from conscious possession of the petitioner. Petitioner has clean antecedent and is in custody since 13.12.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation and period of custody already undergone by the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court-I cum Additional District and Sessions Judge, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 295 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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