

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15109 of 2022**

Arising Out of PS. Case No.-603 Year-2020 Thana- LAKHISARAI District- Lakhisarai

Kunti Devi Wife Of Late Ramje Kewat @ Anup Kewat R/O Village-
Jokmaila, P.S.- Lakhisarai, District- Lakhisarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shaukat Alam

For the Opposite Party/s : Mr APP

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 15-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State by virtual mode.

The petitioner seeks bail in connection with
Lakhisarai P. S. Case No. 603 of 2020 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Amendment Act, 2018.

As per prosecution case, there is alleged recovery of
10 litre country made wine from the house of the petitioner and
the petitioner fled away from the spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 22.01.2022 and bears two more
criminal history in which one case is of similar nature. Charge



sheet has been submitted in the case and there is no likelihood of tampering with the evidence. Learned counsel for the petitioner further submits that alleged that neither recovery of liquor was done nor the house of the petitioner was searched in front of the petitioner and petitioner has no concern with the seized liquor. Nothing has been recovered from the conscious possession of the petitioner. It is further alleged that petitioner has been falsely implicated in this case.

The learned A.P.P. for the State vehemently opposes the prayer for the bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering the evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned IVth Additional District and Sessions Judge-cum-Special Judge, Lakhisarai in connection with Lakhisarai P. S. Case No. 603 of 2020, subject to following conditions:-

(I) One of the bailors shall be either father or mother



or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

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