

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19161 of 2022

Arising Out of PS. Case No.-636 Year-2021 Thana- KUDHNI District- Muzaffarpur

Rekha Devi, W/O- Ramesh Chaudhary, R/O Village- Fakuli, P.S.- Kudhani
(Fakuli O.P.), District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.II, Advocate
For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Kudhani (Fakuli OP) P.S. Case No. 636 of 2021 registered for the alleged offences under Sections 272, 273/34 of the Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

The prosecution case is that the house of the petitioner and her co-accused husband was raided on information that they were involved in manufacturing and storage of illicit liquor. When the police party reached at the house of the petitioner, she



and her husband fled away from there and some appliances and two liters of country made liquor was recovered from the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from the possession of the petitioner. Alleged recovery of gas cylinder and gas stove were from the kitchen, which is quite normal. The husband of the petitioner, the co-accused Ramesh Choudhary, has been granted bail by a Coordinate Bench of this Court in Cr. Misc. No.8452 of 2022. The charge sheet has been submitted in this case and the petitioner is in custody since 02.02.2022 and is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the petitioner is having clean antecedent, the charge sheet has been submitted and the petitioner is in custody since 02.02.2022, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise



Court No.2, Muzaffarpur, in connection with Kudhani (Fakuli
OP) P.S. Case No. 636 of 2021, subject to the following
conditions :

- (i) One bailor will be the deponent, who has
sworn the affidavit, and another bailor will be a
close relative of the petitioner.
- (ii) The petitioner will remain present on each
and every date fixed by the court below.
- (iii) In case of absence for three consecutive
dates or in violation of the terms of the bail, the
bail bond of the petitioner will be liable to be
cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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