

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26503 of 2022

Arising Out of PS. Case No.-316 Year-2021 Thana- AMNAUR District- Saran

Sangita Devi W/o Chandan Singh @ Chandan Kumar Resident of Village -
Amnour Harnarayan, P.s.- Amnour, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ankur Prakash Sinha
		Mr. Ujjawal Bhushan, Advocates
For the Opposite Party/s :		Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-11-2022 Learned counsel for the petitioner is permitted to remove the defects, as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending her arrest in a case registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Recovery is of 50 litres of country made liquor.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and she has been falsely implicated in the present case only on the basis of suspicion. He



further submits that the name of the petitioner has been transpired only on the basis of disclosure made by co-accused Rupa Devi. He further submits that the recovery has been made from the house of Rupa Devi and the house of the petitioner. He further submits that there is no compliance of Section 100 of the Cr. P.C.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Amnour P.S. Case No. 316 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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