

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27424 of 2022

Arising Out of PS. Case No.-86 Year-2021 Thana- DHOLBAJJA District- Bhagalpur

Savita Devi Wife Of Anil Mandal Resident Of Village - Lachminiya, P.S. -
Dholbazza (Kadwa), District - Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Nath Jha, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 03-08-2022 Heard Mr. Dharendra Nath Jha, learned counsel

appearing on behalf of the petitioner and the learned APP for the

state.

Petitioner seeks bail who is in custody in connection
with Dholbazza (Kadwa) P.S. Case No. 86 of 2021 registered
for the offences punishable under section 30(a) of Excise Act,
2016 and 25(1-b) a/ 26/ 35 of the Arms Act.

As per the prosecution case, it is alleged that the
police on a confidential information raided the house of the
petitioner and on search total 15 liters country made liquor
along with the utensils allegedly used for the preparation of the
liquor has been recovered. It is further alleged that from another
room two country made pistols and nine live cartridges have
also been recovered.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is a lady living in a joint family house and the alleged recovery has been made from the joint family house and as such she cannot be held responsible for the alleged recovery. It is next submitted that the petitioner is in custody since 14.12.2021 and moreover, after completion of investigation the charge-sheet has been submitted.

On the other hand, learned counsel for the state oppose the bail application of the petitioner.

Having regard to the submissions made on behalf of the parties and considering the fact that the petitioner is a lady and she is in custody since 14.12.2021, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional district Judge cum Special Judge, Excise, Bhagalpur in connection with Dholbazza (Kadwa) P.S.Case No. 86 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) She will remain present on each and every date of



trial till disposal of the case.

(iii) She will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, her bail bonds will liable to be cancelled.

(Harish Kumar, J)

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