

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29832 of 2022

Arising Out of PS. Case No.-15 Year-2022 Thana- KINJAR District- Jehanabad

NEELAM DEVI W/o Dhiraj Sao R/o village- Nagla, P.S.- Kinjar, District-
Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Adv.

For the Opposite Party/s : Mr.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 05-08-2022 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 in virtual court proceeding.

The petitioner seeks bail in connection with Excise
Case No. 158 of 2022 arising out of Kinjar P.S. Case No. 15 of
2022 registered for the offences punishable under Section 30(a)
of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, there is alleged recovery
of 05 litres illicit country made liquor from the house of the
petitioner. On seeing the police personnel, the petitioner along
with her family members fled away from her house.

Learned counsel for the petitioner submits that
petitioner is in custody since 04.03.2022 and bears criminal



antecedent of one case of similar nature. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing recovered from the conscious possession of the petitioner and she has falsely been implicated in this case.

The learned A.P.P. for the State opposes the prayer for 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 with the prosecution 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 Special Excise Court No. II, Jehanabad in connection with Excise Case No. 158 of 2022 arising out of Kinjar P.S. Case No. 15 of 2022, 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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