

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.44515 of 2021**

Arising Out of PS. Case No.-132 Year-2021 Thana- TEKARI District- Gaya

Kamla Devi @ Sakunti Devi, Wife of Late Punai Chaudhary, Resident of
Village - Mau Near Surya Mandir, P.S.- Tekari, District - Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 18-02-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Md.
Iftekhar Mahmood, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Tekari P.S. Case No. 132 of 2021 registered
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act. She is in custody since 28.03.2021
having one criminal antecedent as stated in paragraph '3' of the
application.

As per the prosecution story, while the informant got
secret information that Kamla Devi (petitioner) is engaged in
illegal business of liquor from her house, thereafter he reached



at the house of Kamla Devi and searched the house and recovered 3.5 liters of country made liquor.

Learned counsel for the petitioner submits that only 3.5 liters of country made liquor has been recovered from the house of the petitioner which is a joint family house and the petitioner has no control over the same, however she is in custody since 28.03.2021.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that 3.5 liters of country made liquor has been allegedly recovered from the house of the petitioner which is a joint family house and the petitioner alone has no control over the same, in connection with this case she has remained in custody since 28.03.2021 and investigation against her is complete as also that her presence may be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Gaya in connection with Tekari P.S. Case No. 132 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.



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 her 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.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

