

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46127 of 2021

Arising Out of PS. Case No.-253 Year-2020 Thana- PATNA CITY CHOWK District- Patna

Suman Devi W/O Jaykanth Ray R/o village- Baglodan Gali, P.S.- Chowk,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 22-01-2022 The applicant/accused is granted out of turn hearing on the ground that she is a lady, who is languishing in jail from 23.01.2021, and the charge sheet has already been filed.

The applicant/accused in Crime No. 253 of 2020 registered with Chowk Police Station, giving rise to Special Case No.4606 of 2020, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018, by this application is seeking her release on bail during pendency of the trial.

Undisputedly, the charge sheet has been filed. The learned counsel for the applicant argued that there was no recovery of liquor from possession of the applicant.

The learned Additional Public Prosecutor opposed the application by contending that the Indian made foreign



liquor of 84.90 liters came to be seized from the applicant.

I have considered the submissions so advanced and also perused the materials placed before me.

The charge sheet has already been filed after conclusion of the investigation. The FIR is lodged by the police officer wherein it is alleged that the police party had seen one cart kept near the house of Jaykant Ray on inquiry they came to know that the cart belongs to the applicant. After inspection of the said cart the illicit liquor was found therein.

As the investigation of the crime in question is over, I see no reason to deny bail to the applicant and hence, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 253 of 2020 registered with Chowk Police Station, giving rise to Special Case No.4606 of 2020, be released on bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from



disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

Mkr./-

U		T	
---	--	---	--

