

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38708 of 2022

Arising Out of PS. Case No.-117 Year-2022 Thana- MOTIPUR District- Muzaffarpur

Kanti Devi W/O Late Mahi Chand Manjhi, D/o Kapildev Manjhi R/o village-
Meghua Morsandi, P.S.- Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh, Advocate

For the Opposite Party/s : Mr.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 16-09-2022 Let the defects, if any, be removed within four
weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State through
video conferencing.

Petitioner seeks bail in a case registered in
connection with Motipur P.S. Case No. 117 of 2022 for the
offences punishable under Sections 272 and 273 of the
Indian Penal Code and section 30(a), 36 of the Bihar Excise
(Prohibition) Amendment Act.

Allegation against the petitioner is to be engaged
in selling illicit toddy liquor and on search total 40 liters
toddy was recovered from the door of the petitioner. It is



further alleged that two persons were arrested at the spot including the petitioner.

Learned counsel for the petitioner submits that from the FIR, it is evident that the recovery has been made from the door of the petitioner and not from her house. He next submits that petitioner being a lady having fair antecedent is in custody since 28.03.2020. He further submits that investigation of the crime is already completed and the charge sheet has been submitted and as such there is no chance of absconding of the petitioner or tempering with the evidence.

On the other hand, learned counsel for the State opposed the bail application.

Regard being had to the submission made on behalf of the parties and considering the fact that petitioner being a lady is in custody since 28.03.2022, apart from the fact that investigation of the crime is already been completed and charge sheet has submitted, 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 Special Judge,



Excise-II Muzaffarpur in connection with Motipur
P.S.Case No. 117 of 2022 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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