

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38711 of 2022**

Arising Out of PS. Case No.-378 Year-2021 Thana- SIRDALA District- Nawada

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Jaimala Devi W/o Upendra Chaudhary Resident of Village - Sindhaoul, P.s.-  
Sirdala, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Man Mohan Kumar, Adv.

For the Opposite Party/s : Mr. Dr. Indihar Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      27-08-2022                      Let the defect, if any, be removed within two weeks  
from today.

Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Sirdala P.S. Case No. 378 of 2021 lodged under Sections 30(a)  
(d)/41 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, total recovery of 15 litres  
Mahua wine was made from the house of the petitioner.

Learned counsel for the petitioner submits that they  
have not been apprehended from the place of occurrence. The  
present petitioner is in custody since 23.05.2022, charge sheet  
has already been filed in this case. He further submits that  
petitioner has one criminal antecedent. He is ready to fulfill all

the conditions whatsoever shall be imposed by this Court.

Learned counsel for the State opposes the prayer for bail and submits that all the family members are accused in this case and it appears that all family members are involved in doing such business.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fiftyty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court – 1, Nawada in connection with Sirdala P.S. Case No. 378 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of

furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J)**

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