

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39517 of 2022

Arising Out of PS. Case No.-149 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

Putul Devi W/O Raj Kumar Sah Resident Of Village- Malipur, P.S.- Town,
District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending her arrest in a case
registered for the offence punishable under Sections 30(a),
32(b), 41(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that there is no recovery from the conscious
possession of the petitioner rather 30 liters of country made
liquor is said to have recovered from the tempo. He submits that



the husband of the petitioner was arrested on the spot. Petitioner has been made accused since she was the owner of the alleged vehicle. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in the account of Member Secretary Bihar State Legal Services Authority, bearing No. 0380000100252472, IFSC Code: PUNB0038000, Punjab National Bank, Patna.

Considering the facts and circumstance of the case, let the above named petitioner, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Excise Case No. C2A No. 149 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to



inform the court if there is any change in the address of the petitioner.

(II) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after her release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the account of Member Secretary Bihar State Legal Services Authority, Patna.

(Anjani Kumar Sharan, J)

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