

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39633 of 2022

Arising Out of PS. Case No.-263 Year-2022 Thana- DARIYAPUR District- Saran

CHAMPA DEVI W/o Late Laldeo Chaudhari R/o village - Mohamadpur, P.S.-
Dariyapur, District - Chapra (Saran).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shatrughan Pandey
For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-08-2022 Learned counsel for the petitioner is permitted to
make necessary correction in para 3 of the bail petition in course
of the day.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with Dariyapur
P.S. Case No. 263/2022 registered for the offences punishable
under Sections 30, 30(a), 30(b) of the Bihar Prohibition and
Excise Act, 2018.

As per prosecution case, there is alleged recovery of
total 110 liters country made liquor from the house of the
petitioner. The petitioner and other apprehended on the spot and



they disclosed the name of fled away persons.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner and he has no concerned with the seized liquor. The seized articles has been recovered behind the house of the petitioner. The petitioner is languishing in custody since 18.05.2022 and bears no criminal antecedent. Learned counsel for the petitioner further submits that the seizure list has not been prepared as per law.

The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II cum 1st Exclusive Special Judge, Excise, Saran at Chapra in connection with Dariyapur P.S. Case No. 263/2022, subject to following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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