

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40208 of 2022**

Arising Out of PS. Case No.-405 Year-2021 Thana- ATRI District- Gaya

=====

Asha Devi W/o Mohan Chaudhary, R/o Village-Belsar, P.S.-Atri and District-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2022 Let the defects, as pointed out by the Office, be

removed within a period of two weeks from today.

Heard learned counsel for the petitioner and learned

APP for the state.

Petitioner seeks regular bail in connection with Atri

P.S. Case No. 405 of 2021 alleged under Sections 272 and 273

of the Indian Penal Code and Section 30 (a) (d) of Bihar

Prohibition and Excise Amendment Act, 2018.

As per the prosecution, total 1200 litres of Mahua

mixed wine which was alleged to be destroyed on the spot and

seizure of only one litre wine has alleged to be made, in addition

to that the other materials for preparation of wine and container

have been made.

Learned counsel for the petitioner submits that the

name of the petitioner was figured in this case by virtue of the statement made by *Chowkidar*. He further submits petitioner is a lady, charge sheet has already been filed in this case having clean antecedent. Petitioner is in custody since 12.05.2022

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No. 1, Gaya in connection with Atri P.S. Case No. 405 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 her 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 she shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of her present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ravishankar/-

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