

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50287 of 2021**

Arising Out of PS. Case No.-128 Year-2021 Thana- BARUN District-
Aurangabad

- =====
1. Sandhya Devi W/o Amanshu Kumar @ Himanshu Kumar Resident of Village- Dhanuati Pool, P.S.- Barun, District- Aurangabad.
 2. Kiran Devi W/o Srinivas Singh @ Niwas Singh Resident of Village- Dhanuati Pool, P.S.- Barun, District- Aurangabad.
 3. Tetari Devi W/o Ramniwas Singh Resident of Village- Dhanuati Pool, P.S.- Barun, District- Aurangabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Ashok Kumar Singh, Advocate
For the State : Mr. Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

4 04-04-2022 The applicants who happen to be women have claimed out of turn hearing on the ground that applicant no. 1 Sandhya Devi is at the advanced stage of pregnancy, which fact is not disputed by the State.

The applicants are accused in Crime No. 128 of 2021 registered with Police Station-Barun for the offences punishable under Section 30(a) of the Bihar Excise Prohibition and Amendment Act 2018. By this application, they are seeking their release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicants/accused as well as learned Additional Public



Prosecutor appearing for the State.

Undisputedly, the applicants are not having any criminal antecedents. It is the case of the prosecution that police received secret information that Ramniwas Singh and Praveen Kumar indulging in the business of illicit liquor. Their houses came to be raided. Ramniwas Singh came to be arrested. Similarly ladies from the house viz the applicants were also arrested. Illicit liquor came to be seized from both houses which were raided by police.

As the applicants are not having criminal antecedents as the secret information was in respect of Ramniwas Singh and Praveen Kumar and as the applicants were inmates of that house, on completion of investigation, I see no reason to refuse bail to the applicants. Therefore, the following orders:

(i) The application is allowed.

(ii) The applicants/accused in Crime No. 128 of 2021 registered with Police Station-Barun for the offences punishable under Section 30(a) of Bihar Excise Prohibition and Amendment Act, 2018, be released on bail on executing P.R. bond of Rs. 10,000/- (Rupees Ten Thousand) on furnishing sureties of the like amount by each of them to the satisfaction of the trial court with the following conditions :

(I) The applicants should not extend any threat, promise or inducement to the persons



acquainted with the facts of the accusation against them so as to dissuade them from disclosing such facts to the Court or to any police officer.

(II) The applicants should cooperate the trial in expeditious disposal of the trial against them.

(III) The applicants should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicants should not repeat commission of similar offence in future and if they are found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicants in the instant case.

The applicants to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicants/accused.

(A. M. Badar, J)

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