

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50733 of 2021

Arising Out of PS. Case No.-1005 Year-2020 Thana- KANKARBAG District- Patna

SONI DEVI, W/o KALI MANJHI RESIDENT NEAR NORTH SIDE OF
PATLIPUTRA SPORTS CAMPUS HUT, P.S-KANKERBAGH, DISTRICT-
PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh, Advocate.

For the Opposite Party/s : Mr.Rita Verma, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-01-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Kankerbagh
P.S. Case No. 1005 of 2020 registered for the offence punishable
under Sections 272 and 273 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2018.

Allegation is that the total 94 litres of country made
liquor was recovered from the hut located near the Patliputra
Khel Parisar.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Learned counsel further submits that it appears from the F.I.R. itself that nothing has been recovered from conscious possession of the petitioner. Learned counsel further submits that recovery has been made from the field near the Patliputra Khel Parisar. Petitioner is in custody since 12.07.2021.

The learned Additional Public Prosecutor for the State opposed the prayer for bail submitting that the petitioner carries three criminal antecedent.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Kankerbagh P.S. Case No. 1005 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be canceled by the Court below.

(2) 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.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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