

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51836 of 2021

Arising Out of PS. Case No.-97 Year-2019 Thana- BARBIGHA District- Sheikhpura

SONI KUMARI Wife of Manoj Kumar Resident of Village - Teush, P.S.-
Jairampur, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-01-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding

in physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Excise
Case No. 129 of 2019 in Barbigaha P.S. Case No. 97 of 2019
registered for the offence under Sections 30(a) of the Bihar
Prohibition and Excise Act.

Recovery is of 205 cartoons of Royal Stage foreign
liquor.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is



innocent and has falsely been implicated in this case. In fact, nothing has been recovered from the conscious possession of the petitioner rather the alleged recovery has been made from the car bearing No. BR-01-PB-9788 and the SUV bearing No. JH-02U-8821. The petitioner has no concern with the alleged recovery. Moreover, the co-accused, namely, Rajeev Paswan has already been granted bail by a co-ordinate Bench of this Court vide order dated 28.05.2019 passed in Cr. Misc. No. 35044 of 2019. The petitioner is rotting in judicial custody since 29.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 A.D.J.-II, Sheikhpura in connection with Excise Case No.129 of 2019 in Barbigha P.S. Case No. 97 of 2019 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 his/her absence on two consecutive dates without sufficient reason, his/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.

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 his 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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