

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42558 of 2022

Arising Out of PS. Case No.-116 Year-2022 Thana- LAUKAHA District- Madhubani

LARUBATI DEVI W/O BINDA SADAI Resident of village- Kamalpur, P.S.-
Laukha, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 26-08-2022 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
Laukaha P.S. Case No. 116 of 2022, G.R. No. 297 of 2022
registered for the offences punishable under Sections 272, 273
of the Indian Penal Code and under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act.

As per prosecution case, there is alleged recovery
of 163.5 litres Nepali country made liquor from the place of
occurrence. The petitioner is apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 16.05.2022. Petitioner bears no



criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner is a lady and she is innocent and has committed no offence and falsely implicated in the case.

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

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence as submitted, keeping in view clean antecedent of the petitioner, argument advanced on behalf of the parties 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 Special Judge, Excise Act, Jhanjharpur in connection with Laukaha P.S. Case No. 116 of 2022, G.R. No. 297 of 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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