

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43626 of 2022

Arising Out of PS. Case No.-116 Year-2021 Thana- SIRDALA District- Nawada

Kavita Devi, W/o Rambilash Rajbanshi, Resident of Village- Bandhi, P.S.-
Sirdalla, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 30-09-2022 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Navin Kumar Singh, learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner seeks regular bail, who is in custody in connection with Sirdala P.S. Case No. 116 of 2021 registered for the offences punishable under Sections 30 (a) /41 of the Bihar Prohibition and Excise Act, 2016.

The police on a secret information, raided the house of Rambilash Rajbanshi and it is alleged that on search total 210 litres of country made Mahua liquor was recovered from the Badhar, adjacent to the house of Rambilash Rajbanshi and three



motorcycles were also seized.

Learned counsel appearing on behalf of the petitioner submits that the petitioner happens to be the wife of Rambilash Rajbanshi and her name has been implicated in this case, though from the F.I.R. it would be evident that the alleged recovery has been made from a Badhar, 100 meters east to the house of Rambilash Rajbanshi and no incriminating material has been recovered from the person or possession of the petitioner. He next submits that the petitioner, being a house wife, having fair antecedent, is in custody since 16.06.2022 and now the investigation of the crime is already complete and charge-sheet has been submitted.

On the other hand learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner being a lady, having fair antecedent, is in custody since 16.06.2022 and no incriminating material has been recovered from her person or possession, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Nawada in



connection with Sirdala P.S. Case No. 116 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) She will remain physically present on each and every date of trial till disposal of the case.

(iii) She will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, her bail bonds will liable to be cancelled.

(Harish Kumar, J)

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