

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40555 of 2020

Arising Out of PS. Case No.-134 Year-2016 Thana- BOCHAHAN District- Muzaffarpur

Mamta Devi Wife Of Sudhir Mandal @ Sudhir Kumar Mahto @ Sushil Singh
Resident Of Village- Berai, P.S.- Hathauri, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending her arrest in a case registered for the offence punishable under Sections 272, 273, 290 of the Indian Penal Code and Section 47, 47(A), 48(ii), 51, 53, 57 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 2681.640 liters of foreign liquor is said to have recovered from the container and 117 liters



of foreign liquor is said to have recovered from the Tata Sumo. He submits that the petitioner is the owner of the said Sumo vehicle but she sold the aforesaid vehicle to Arjun Sahni on 01.08.2016. He submits that Arjun Sahni was also apprehended by the police on the spot. He further submits that petitioner has no criminal antecedents as stated in para-3 of the bail application.

Considering the facts and circumstance of the case, let the above named petitioner, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bochahan P.S. Case No. 134 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.



(II) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after her release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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