

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55340 of 2021

Arising Out of PS. Case No.-151 Year-2021 Thana- KHIJARSARAI District- Gaya

SANJU DEVI WIFE OF SUKHADI CHAUDHARY @ YOGENDRA
CHAUDHARI RESIDENT OF VILLAGE- HORMA, P.S.- KHIZARSARAI,
DISTRICT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-01-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

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 Khizarsarai
P.S. Case No. 151/2021 registered for the offences punishable
under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

There is recovery of 10 litres of illicit liquor from the
courtyard of the petitioner.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and has committed no offence



and she has falsely been implicated in the present case. It is further submitted that it appears from the FIR itself that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the courtyard of the petitioner. Petitioner is in custody since 08.08.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Additional Sessions Judge-II cum Special Judge, Excise, Gaya in connection with Khizarsarai P.S. Case No. 151/2021, subject to 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 cancelled 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 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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