

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60497 of 2021**

Arising Out of PS. Case No.-63 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Khagaria

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JASIYA DEVI @ YASHODA DEVI W/o- LATE RAMVINOD SINGH
Resident of Village- Nista, P.S.- Alauli, District- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh
For the Opposite Party/s : Mr.Anil Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 11-02-2022 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 Excise Case
No. 63C3/ 2021 registered for the offences punishable under
Section 30(a) (g) of the Bihar Excise Act.

As per prosecution case, 14 litres of illicit country
made liquor, 285 litres of fermented jaggery and other apparatus
were recovered from the field of the petitioner.

Learned counsel for the petitioner submits that



petitioner is a lady of 62 year old and she has clean antecedent and has falsely been implicated in the present case. He further submits 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 *Bajra* field of the petitioner. Petitioner is in custody since 15.07.2021.

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-2nd cum Special Judge, Excise, Khagaria in connection with Excise Case No. 63C3/ 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 her 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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