

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59891 of 2021

Arising Out of PS. Case No.-294 Year-2021 Thana- MALSALAMI District- Patna

Rinkal Devi, Wife of Tanka Manjhi, Resident of Mansurganj, Musahari, Near
Bargad Tree, P.S.- Malsalami, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhoy Kumar Kashyap, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 07-03-2022 Though the applicant has preferred a precipi for out of
turn hearing of this application on the ground that her minor son
is suffering from pneumonia, the learned Additional Public
Prosecutor submits that the child of the applicant is doing well
and is playing in the village.

Be that as it may, the applicant being a lady accused
and the investigation of the subject crime is over, the present
application is taken out of turn hearing.

The applicant is an accused in Crime No. 294 of 2021
(Special Case No. 4602 of 2021) registered with Malsalami
Police Station for the offence punishable under Section 30(a) of
the Bihar Excise and Prohibition Act, by this application is
seeking her release on bail during pendency of the trial.

Heard the learned counsel appearing for the
applicant/accused. He argued that the applicant is only having



one criminal antecedent and the investigation of the subject crime is over.

The learned Additional Public Prosecutor opposed the application by contending that the applicant is involved in the similar offence as well as under Section 307 of the Indian Penal Code.

Be that as it may, indisputably the investigation of the subject crime is over. The applicant is a women who is undergoing pretrial detention since the date of the registration of the subject crime. It is seen that she is having a minor child.

The allegation against her is to the effect that she was found in possession of illicit liquor of about 45 litres quantity.

Considering the facts that the applicant is women having a minor child and the investigation of the subject crime is over. Hence, the order :-

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 294 of 2021 (Special Case No. 4602 of 2021) registered with Malsalami Police Station be released on bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court



with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against her so as to dissuade her from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against her.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

Bhardwaj/-

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