

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61234 of 2021

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

Rinku Devi @ Rinki Devi Wife Of Rameshwar Manjhi R/O Mohalla-
Mansurganj, Mushari Near Bar Tree, P.S.- Malsalami, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Choubey Jawahar, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

3 08-02-2022 The applicant/accused in Crime No. 294 of 2021
registered with Malsalami Police Station for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018, by this application is seeking
her release on bail during pendency of the trial.

The applicant is given out of turn hearing because she
is in custody since 26.07.2021 and she is having minor children
who are without parental care.

Heard the learned counsel appearing for the
applicant/accused and learned Additional Public Prosecutor for
the State.

The learned Additional Public Prosecutor opposed
the application by contending that 55 liters of Mahua liquor
was seized from possession of the applicant.



I have considered the submissions so advanced and also perused the materials placed before me.

In a raid conducted by police, three women were apprehended. It is alleged that the applicant was having five liters of Mahua liquor in a polythene bag held in her hand and from her hut 50 liters of Mahua liquor came to be seized.

Investigation of the crime in question is over. The applicant is having clean antecedent. She is already undergone pretrial detention during investigation of the subject crime. Hence, I see no reason to refuse bail to the applicant. Therefore, the order :-

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 294 of 2021 registered with Malsalami Police Station be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten 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 him 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 him.

(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 she 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)

Mkr./-

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