

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62561 of 2021**

Arising Out of PS. Case No.-290 Year-2021 Thana- GAIGHAT District- Muzaffarpur

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Phool Badan Devi Late Madan Sahni Resident of Village-Lohbandra, P.S.-
Gayghat, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

2 03-03-2022 Heard learned counsel for the petitioner as well as learned
APP for the State.

Let the defects, as pointed out by the office, be removed
within four weeks of start of normal functioning of the physical
court.

The petitioner seeks bail in connection with Gaighat P.S.
Case No.290 of 2021 registered for the offence punishable under
Sections 272, 273/34 of the Indian Penal Code as well as under
Section 30(a) of the Bihar Prohibition & Excise Act.

The prosecution case in short is that on receiving
confidential information by the police raid was conducted at the
house of the petitioner and after search 21 liters of *Chulai* liquor has
been recovered from the house of the petitioner.



Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in the present case and has no criminal antecedent. Learned counsel for the petitioner further submits that nothing has been recovered from the conscious possession of the petitioner and is in custody since 23.08.2021.

Learned APP for the State has opposes the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Muzaffarpur in connection with Gaighat P.S. Case No.290 of 2021 with 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 his/her absence on two consecutive dates without sufficient reason, his/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.

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 steps 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)

Prakash Narayan /-

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