

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62756 of 2021

Arising Out of PS. Case No.-349 Year-2021 Thana- PARBATTa District- Khagaria

Chandni Devi, W/o Anil Sah, Resident of Village- Khiradih, P.S.- Parbatta,
District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Md. Mustaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

3 30-03-2022 The applicant is given out of turn hearing because of the fact that she is suffering from HIV which is not disputed by the other side.

The applicant is an accused in Crime No. 349 of 2021 registered with Parbatta Police Station for the offence punishable under Section 30(a) of the Bihar Excise Act, by this application is seeking her release on bail during pendency of the trial.

The learned counsel for the applicant submits that the applicant is not having any criminal antecedent and the investigation of the subject crime is over.

The learned Additional Public Prosecutor opposed the application.

I have considered the submission so advanced and



undisputably the investigation of the subject crime is over.

On the basis of information received from co-accused Sandeep Choudhary, police raided the house of the applicant and found 75 bottles each containing 750 ml of Imperial Blue, 8 bottles each containing 750 ml of Royal Stage, 16 bottles each containing 375 of Royal Challenge and 256 bottles each containing 375 ml of Indian made foreign liquor.

It is reported that the applicant is not having any criminal antecedent. The investigation of the subject crime is over. 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. 349 of 2021 registered with Parbatta 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 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 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 appellant/accused.

(A. M. Badar, J)

Bhardwaj/-

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