

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57401 of 2022

Arising Out of PS. Case No.-120 Year-2022 Thana- NATWAR District- Rohtas

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SITA SUNDARI KUMARI @ TAMATARI D/o-Satya Narayan Singh Yadav
R/o Village- Barun Tola, P.S.- Suryapura, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Natwar P.S. Case No. 120 of 2022 registered
for the alleged offences under Sections 30(a), 33 and 36 of the
Bihar Prohibition and Excise Amendment Act, 2018.

As per prosecution case, police received secret
information about transportation of spirit in his silver coloured
Honda City car and a lady on a red colour Scooty working as a
liner and escorting the car. Both the vehicles were intercepted
and the lady on the Scooty was apprehended along with one
person from the Honda City car. Recovery of 200 liters of spirit

was made from the seized car.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case on completely false ground. It is clear from the F.I.R. that nothing has been recovered from the conscious possession of the petitioner and recovery has been made from the Honda City car which does not belong to this petitioner. The petitioner has no concern either with the seized spirit or with the vehicle and she never got involved in the business of illicit liquor. Charge sheet has been submitted in this case and the petitioner is in custody since 27.07.2022.

Learned A.P.P for the State opposes the prayer for bail of the petitioner submitting that the petitioner has got criminal antecedent.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and the allegation are bordering on vague and also considering the submission of charge sheet along with period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the

satisfaction of learned Exclusive Special Judge Court No. 2-
cum-Additional District and Session Judge, Rohtas at Sasaram
in connection with Natwar P.S. Case No. 120 of 2022, subject to
the conditions mentioned in Section 437(3) of the Code of
Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close
relative of the petitioner.
- (ii) The petitioner will remain present
on each and every date fixed by the
court below.
- (iii) In case of absence on three
consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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