

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58359 of 2022

Arising Out of PS. Case No.-177 Year-2021 Thana- SAKRI District- Madhubani

Karuna Devi W/O Late Nagendra Singh Resident Of Village- Nawada, P.S.-
Sakri, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash
	:	Mr. Gyan Deo Yadav
	:	Mr. Ravi Prakash
For the Opposite Party/s :		Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 30-11-2022 Heard Ld. counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Sakri
P.S. Case No. 177 of 2021, registered for the offences
punishable under Sections 272 and 273 of the I.P.C. and
Section 30(a) of Bihar Prohibition and Excise Act 2018.

As per allegation, 61.830 liters of liquor have been
recovered from the house of the petitioner.

Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He also submits that nothing has been recovered from
the conscious possession of the petitioner and he was not



arrested on the spot. He also submits that the petitioner is arrested only on the basis of suspicion.

The petitioner has been languishing in jail since 17.08.2022.

It is also stated in paragraph no. 2 of the petition that the petitioner has moved before this Court for grant of anticipatory bail vide Cr. Misc. No. 43184 of 2022.

It has further been stated in paragraph no. 3 that the petitioner has no criminal antecedent.

However, the Ld. APP for the State vehemently opposes the prayer of the petition for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Additional Sessions Judge-II-Cum-Special Judge, Excise Act, Madhubani in connection with Sakri P. S. Case No. 177 of 2021 on the following conditions:

(i) The petitioner will make himself available for



interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.



The application stands allowed accordingly.

Learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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