

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70402 of 2021**

Arising Out of PS. Case No.-111 Year-2021 Thana- SIWAIPATTI District- Muzaffarpur

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SAMUNDARI DEVI Wife of Sanjay Chaudhari @ Sanjay Kumar Chaudhari
Resident of Village Megaiyya, P.S. - Siwaipatti, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha, Adv

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 11-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Siwaipatti P.S.Case No.111 of 2021, registered for the offence under Sections 272,273 and 34 of IPC Sections 30(a)(c),36 of the Bihar Prohibition and Excise Act.

Recovery is of 115 liters of Chulhai liquor.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. She has falsely been implicated in the present case only on the basis of suspicion. He further submits that nothing has been recovered from the



conscious possession of the petitioner rather the recovery has been made from the house of the petitioner. He further submits that co-accused, namely, Santosh Chaudhary has been granted bail vide order dated 09.03.2022 in Cr. Misc. No.69938 of 2021 by this Hon'ble Court and the petitioner is in custody since 17.09.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Siwaipatti P.S.Case No.111 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 step 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)

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