

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69399 of 2022

Arising Out of PS. Case No.-158 Year-2021 Thana- DAUDNAGAR District- Aurangabad

Nilam Devi W/O Randhir Kumar R/O Village- Checharhi @ Chechari, P.S.-
Obra, Distt- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupa Kumari
For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case registered for the offence punishable under Section 30(a)34 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 250ml country made liquor is said to have been recovered from the motorcycle. He submits that the petitioner is owner of the seized motorcycle but on the day of occurrence, the said motorcycle was taken by the Dewar of the petitioner who was arrested on the spot by the police. Petitioner is the lady. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.



Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in the Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the facts and circumstance of the case, let the above named petitioner, in the event of her arrest or surrender before the learned Court below within a period of eight weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Daudnagar P.S. Case No. 158 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(II) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in



any other case of similar nature after her release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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