

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51988 of 2023

Arising Out of PS. Case No.-261 Year-2023 Thana- KESARIA District- East Champaran

SAVITRI DEVI WIFE OF PRABHU PRASAD RESIDENT OF VILLAGE
MATHIYA, PS- KESARIYA, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Kesariya P.S. Case No. 261 of 2023 for the offence punishable under Sections 272, 273 of I.P.C. and 30(a) of the Bihar Prohibition and Excise Act lodged on 25.5.2023 by the informant, Anita Kumari.

As per the prosecution story, the informant along with police personnel reached the poultry farm of Prem Prasad and recovered/seized 147.600 liters of foreign liquor. The lady who is the mother of Prem Prasad, was arrested.

The case of the petitioner is that the recovery is from the house of Prem Prasad, she being the mother, has no role to play in the matter and has remained in custody since 26.5.2023 (para-12 of the petition).



Learned APP opposes the prayer.

Considering the fact that she is lady, is in custody since 26.5.2023 and do not have criminal antecedent, this Court is inclined to extend her the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court No.2, East Champaran, Motihari, in connection with Kesariya P.S. Case No. 261 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of her bail bonds.

With the aforesaid observations, the application is
allowed.

(Rajiv Roy, J)

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