

Arising Out of PS. Case No.-276 Year-2023 Thana- KUSHESHWARASTHAN District-
Darbhanga

... .. Petitioner/S

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr. Ruchi Acharya, Adv.
For the Opposite Party/s : Mr. Gulnar Begum, APP

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that nothing was recovered from the possession of the petitioner rather it has been recovered near the road side which is public



place.

5. Counsel for the petitioner submits that petitioner is in custody is since 08.08.2023 and there are 3 criminal cases pending against the petitioner.

6. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean and at the time of hearing bail application, this aspect must be taken into consideration.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) II, Darbhanga, in connection with Kusheshwar Asthan P.S. Case No. 276 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

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

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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