

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49535 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- NAURANGIA District- West Champaran

USHA DEVI WIFE OF NAGENDRA CHAUDHARY Resident of Village -
Naurangiya, Ward No. 14, P.S. - Naurangiya, District - West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1

For the Opposite Party/s : Mr.Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-08-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Naurangiya P.S. Case No. 45 of 2024 for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act lodged on 09.06.2024 by the informant, Prabhat Kumar.

3. As per the prosecution story, the informant alleged that upon confidential information that the liquor is coming from the side of Naurangiya, reached to the place and found two persons on a motorcycle with a sack. Upon interception, they escaped leaving the motorcycle from which 15 litres of english wine was recovered/seized. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that she is the owner of the motorcycle which was given to Pradeep



Kumar to attend a marriage little realizing that she will be implicated. She do not have any criminal antecedent.

5. Learned APP opposes the prayer.

6. Considering the fact that the petitioner is a lady, though she is a registered owner of motorcycle, it was given to one Pradeep Kumar, this Court is inclined to extend her the privilege of bail with conditions.

7. Let the petitioner, named above, 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 Special Judge, Excise, Bagaha, West Champaran in connection with Naurangiya P.S. Case No. 45 of 2024, subject to the following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his 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 his 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 his bail bonds.

(Rajiv Roy, J)

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