

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78528 of 2024

Arising Out of PS. Case No.-688 Year-2023 Thana- BUXAR District- Buxar

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Laxmi Devi W/o- Arun Kumar @ Arun Pandey Village- Shanti Nagar Ps-
Buxar Town, Dist-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta, Adv.

For the Opposite Party/s : Mrs.Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-11-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Buxar (Town) P.S. Case No. 688 of 2023 for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 22.12.2023 by the informant, Manoj Kumar Singh.

3. As per the prosecution story, the informant alleged that upon secret information, it raided the place of the petitioner and though she tried to escape, apprehended and there is recovery/seizure of 17.640 litres of country made liquor. Accordingly, the FIR, arrest.

4. Learned counsel for the petitioner submits that nothing has been recovered from her conscious possession, the carton was there in front of her house, the locals due to enmity



pointed towards her which led to her implication.

5. Learned APP opposes the prayer submitting that she has criminal antecedent.

6. Taking into account the submission put forward by the parties and the fact that the petitioner is a lady, is in custody since 04.07.2024 (para-9 of the petition), as undertaken, she shall be diligently appearing in the trial, this Court is inclined to extend her the privilege of bail.

7. Let the petitioner, above named, 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, Court No.1, Buxar in connection with aforesaid P.S. Case 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 her bail bonds.

(Rajiv Roy, J)

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