

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10019 of 2025

Arising Out of PS. Case No.-949 Year-2021 Thana- KUDHNI District- Muzaffarpur

Bindi Devi @ Loli @ Bide Devi W/O Mukesh Sahni Resident of Village-
Kharauna Dih, P.S - Kudhani, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vijay Kumar, Advocate
For the State : Mr. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Kudhni (Turki O.P.) P.S. Case No. 949 of 2021, dated.22.12.2021 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2018.

3. As per allegation, there is recovery of 5 liter of illicit liquor lying on the road. As per further allegation, this liquor was being carried by the co-accused Munni Lal Paswan from the house of the petitioner.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that nothing has been recovered from



the conscious possession of the petitioner. He also submits that there is no material available on record which could connect the petitioner to the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.II, Muzaffarpur, in connection with Kudhni (Turki O.P.) P.S. Case No. 949 of 2021, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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