

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40111 of 2017

Arising Out of PS.Case No. -488 Year- 2016 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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Punam Devi ,W/o Om Prakash Upadhyay, R/o Village- Koerigawan, P.S.-
Shikarpur, District- West Chaparan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Umeshnand Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

8 13-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in **Shikarpur**
P.S. Case No. 488 of 2016 instituted for the offence under
Sections 30(a), 30(c), 38(i), 38(ii) and 41(i) of Bihar Excise
Amendment Act, 2016..

It has been submitted that alleged seizure is made
from the house of Om Prakash Upadhyaya. The petitioner is wife
of Om Prakash Upadhyaya.

From the written report as well as seizure list it is
apparent that there is no recovery from conscious possession of
this petitioner.

It is mentioned in paragraph-3 of the bail petition that
petitioner has no criminal antecedent.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Shikarpur P.S. Case No. 488 of 2016**, she shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Special Judge (Excise), Bettiah, West Champaran**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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