

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38295 of 2019

Arising Out of PS. Case No.-21 Year-2019 Thana- TISIAUTA District- Vaishali

SAVITA DEVI D/O Mauzi Paswan Resident of Village- Bijharauli, Bindi Chawk, P.S.- Tisiauta District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh

For the Opposite Party/s : Ms.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 272, 273 IPC and Section 30(a)(b)(c) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as the 'Prohibition Act') registered in connection with Tisiauta P.S. Case No. 21/2019.

3. It is submitted that the petitioner has been falsely implicated and even according to the FIR the petitioner is alleged to have been identified as one of the persons who ran away from the house of co-accused Indrajeet Paswan from where recovery of the incriminating articles was made. It is submitted that no allegation has been made against the petitioner whatsoever in order to attract the ingredients of the offences alleged and as such no offence is made out under the provisions of the Prohibition Act. Other co-accused namely, Samarjeet Paswan has been granted anticipatory bail by this Court in Cr. Misc. No. 36985 of 2019. The petitioner is a lady claiming clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner 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 Additional Sessions Judge II-cum-Special Judge, Excise and Prohibition, Vaishali at Hajipur in connection with Tisiauta P.S. Case No. 21/2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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