

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53277 of 2019

Arising Out of PS. Case No.-133 Year-2019 Thana- RAJAOLI District- Nawada

UGANTI DEVI Wife of Manoj Singh @ Manoranjan Singh Resident of
Village Jajia @ Kajhia, P.S.- Akbarpur, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-08-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Rajauli Police Station Case No. 133 of 2019, disclosing offences under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner, as per the First Information Report, is that while the police was on patrolling duty, they intercepted one bolero vehicle and caught the driver and one another person, who disclosed their names as Chandan Kumar and Rinku Kumar. The police recovered 57.750 litres of illicit liquor from the said vehicle. The name of the petitioner has come on the basis of confessional statement of co-accused Chandan Kumar, who was arrested at the spot.



Learned Counsel for the petitioner submits that the petitioner is innocent and has got no criminal antecedent. He further submits that the petitioner is a 55-years old lady and is the mother of the co-accused Chandan Kumar, who allegedly disclosed that the said vehicle belongs to the petitioner, as such, the petitioner has been dragged in this case. He further submits that the petitioner is not even the owner of the vehicle, in question, and the same is registered in the name of her husband, Manoj Kumar.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner is not the owner of the vehicle and further no illicit liquor has been recovered from the conscious possession of the petitioner or the vehicle belonging to the petitioner and that the petitioner has got no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner, Uganti Devi, in the event of her arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum-



Special Judge, Nawada, in connection with Rajauli Police Station Case No. 133 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bond shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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