

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85760 of 2019

Arising Out of PS. Case No.-392 Year-2019 Thana- Government Official Comp. District-
Saharsa

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PUJA DEVI, aged about 30 years, Gender- Female, W/o Late Rajendra Choudhary, Resident of Village - Hariyagachhi, Ward No.31, P.S.- Sadar, Distt.- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 17-02-2020 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Special (Excise) Case No.392 of 2019, registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation has been made that about 12.24 liters of foreign liquor has been recovered from the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent, inasmuch as, she has lodged Complaint Case No.71 of 2019 against the informant, wherein allegation has been made that the informant has committed rape on her. However, it appears that the said complaint case has been lodged after lodging of the excise case against the petitioner but, looking to the quantity of liquor



recovered from the house of the petitioner and also the fact that she has no criminal antecedent, this Court is inclined to grant anticipatory bail to the petitioner.

In such view of the matter, let the petitioner, above named, be released on anticipatory bail in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Special Judge (Excise), Saharsa, in connection with Special (Excise) Case No. 392 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

However, at the time of accepting bail bonds, the court below would verify and assure itself regarding the criminal antecedent of the petitioner. If she is having clean antecedent, then her bail bond would be accepted. If she is found to be involved in any other case before filing of this application i.e. 21.12.2019 then her bail bond would not be accepted.

(Shivaji Pandey, J)

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