

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5155 of 2022

Arising Out of PS. Case No.-215 Year-2021 Thana- MASAUDHI District- Patna

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Siyamani Devi Wife Of Rajnath Ram Resident Of Fatehpur, Police Station-
Sigori (Paliganj), District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dipak Kumar

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 15-11-2022 Heard learned counsel for the petitioner and
learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending her arrest in connection with Masaurhi P.S. Case no. 215 of 2021 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act and Section 2, 3, 4 of Mahua Flower & Control Act.

As per allegation in FIR, on secret information the informant went near Hindustan Petrol Pump and saw a DCM Truck No. BR01GD/2549 loaded Mahua Flower. It is further alleged that the informant along with other police personnel recovered total 50 quintal Mahua Flower from the said truck.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no



offence. She has got no criminal antecedent. She has falsely been implicated in this case. The petitioner is owner of the seized truck which Reg. No. BR1GD-2549. It is further submitted that according to FIR this case does not fit in the preview of excise Act. The petitioner is a lady and neither she was present at the place of occurrence nor apprehended on spot.

Learned APP appearing for the State has opposed the prayer of Bail.

The petitioner is directed to deposit a sum of Rs 40,000/- (Forty Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the fact that petition is a lady, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Masaurhi P.S. Case no. 215 of 2021, she will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.



The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 40,000/- (Rs. Forty thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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