

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11758 of 2022

Arising Out of PS. Case No.-145 Year-2021 Thana- SUPPI District- Sitamarhi

MAMTA DEVI W/o Lakshman Mandal Resident of Village - Barharwa, P.S.-
Suppi, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-08-2022 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 Suppi P.S. Case no. 145 of 2021 instituted for the offence under Section 30(A) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 9 litres nepali liquor from the house of co-accused Lila Devi, which was kept below her bed. Lila Devi was apprehended on spot and she is mother-in-law of the petitioner.

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. Petitioner has no concern with the alleged recovery. The name of the petitioner



has been disclosed in this case by apprehended co-accused, Leela Devi, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from her possession. For a single offence, implication of several family members is not true.

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

Having heard learned counsel for the parties and considering the fact that petitioner 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 Suppi P.S. Case no. 145 of 2021, he 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, Exclusive Special Excise Court No. 1, Sitamarhi subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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