

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12075 of 2022**

Arising Out of PS. Case No.-333 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

=====

SUMITRA DEVI WIFE OF SRI MANGAL TANTI R/O VILLAGE- NIRPA
(NARAPA), P.S.- BITHAN, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No1, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

=====

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 15-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends her arrest in a case registered
for the offences punishable under Sections 30(a) and 30(c) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent, is a woman and
allegation is of recovery of four litres of liquor from the asbestos
house of the petitioner along with 50 litres of jaggery solution
which was destroyed at the spot.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing was
recovered from her conscious possession, it is next submitted that
the petitioner has specifically stated in paragraph '8' of the
anticipatory bail application that she never indulged in selling



liquor nor the hut/house from where the alleged recovery was made belongs to her. The learned counsel next submits that it is very easy to implicate someone based on secret information as the secret information is never disclosed. It appears that in order to save the real culprits, the police with the aid of secret information falsely implicated the petitioner knowing the place from where the alleged recovery was made does not belong to the petitioner.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Excise Samastipur P.S. Case No. 333/2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Shivam/-

U		T	
---	--	---	--

