

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20111 of 2022

Arising Out of PS. Case No.-809 Year-2021 Thana- SITAMARHI District- Sitamarhi

Nootan Devi, W/O Pahalad Prasad R/O Village- Binwa Tola, Ward No. 1, P.S.
And District- Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Ms. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of her arrest
in a case registered for the offences punishable under Section
30(a) of the Excise Act, 2016.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a woman and
allegation is of recovery of 928.200 litre of liquor kept in a bag
near a mosque at a deserted place.

The learned counsel for the petitioner submits that the
petitioner was not arrested from the spot, as such, nothing was
recovered from her conscious possession. It is next submitted
that the place from where the alleged recovery is shown, is a
public place and is accessible to public at large. It is further



submitted that it appears that in order to save the real culprit, the petitioner implicated by the local Chaukidar.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sitamarhi P. S. Case No.809 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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