

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35104 of 2021

Arising Out of PS. Case No.-470 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Bharti Devi @ Bharti Kumari W/O Subhash Kumar R/O Village- Kachauri,
P.S.- Sherghati, Dist.- Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar
For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections
30(c), 56(b) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that while on patrolling duty, he saw a motorcycle in an
abandoned state and accordingly, on suspicion in presence of the
witnesses, he searched that motorcycle from which 10 litre of
country-made liquor was recovered from the dickey of the
motorcycle.

The learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in the present case merely because, she is the owner of the motorcycle. It is next submitted that neighbour of the petitioner had taken her motorcycle for getting the medicine for his mother and it appears that he misused the same. It is next submitted that the petitioner is a young girl aged about 19 years. It is also submitted that even admitting what has been alleged in the F.I.R. to be true, then the petitioner was not present at the place of occurrence, as such, the alleged recovery was not found from the conscious possession.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner and the fact that petitioner is a young girl aged about 19 years and was not present at the place of occurrence, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his 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 the learned Court below where the case is pending in connection with Excise Case No.470 of 2020, 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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