

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27785 of 2022

Arising Out of PS. Case No.-420 Year-2021 Thana- ALOULI District- Khagaria

Sakhia Devi, W/O Nepali Mukhia Resident Of Village - Phultaura, P.S.-
Alauli, Distt.- Khagaria.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-08-2022 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 Sections
30(a)(b)(c) of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a woman and
the allegation is of recovery of 15 litre of liquor from all the
three named accused persons from their house including the
petitioner. Further, 05 litre of country-made liquor is alleged to
have been recovered from a yellow colour gallon from the house
of the petitioner.

The learned counsel for the petitioner submits that the
petitioner was not arrested from the spot, as such, nothing was
recovered from her house and the house is a joint family
property. The learned counsel further submits that the police in a



mechanical manner has implicated the petitioner when she is the owner of the alleged house/ hut from where the alleged recovery was made. The learned counsel next submits that the petitioner came to be implicated based on the secret information, which is the easiest way to implicate an innocent person in order to save the real culprit.

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 his arrest or surrender before the learned Court below within a period of six weeks from today, 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 learned Court below where the case is pending in connection with Alauli P. S. Case No.420 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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