

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36970 of 2021**

Arising Out of PS. Case No.-11 Year-2021 Thana- SARAI RANJAN District- Samastipur

Anita Devi, W/O Kamlesh Rai R/O Village- Nauwachak, P.S.- Samastipur
(Muffasil), District- Samastipur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-06-2022 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 Section 30(a)
of the Excise Act, 2016.

The learned counsel for the petitioner submits that the
petitioner is a woman and is a person with clean antecedent and
the informant alleges that two persons on a motorcycle were
seen coming and on seeing the police, they tried to flee.
However, they were apprehended and they disclosed their name
as Pankaj Kumar Roy and Vikash Kumar. It is next submitted
that on search of the motorcycle, 360 ml of liquor were seized.

The learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot, nor the allegation
in the F.I.R. suggests that she was also on the motorcycle. It is
next submitted that petitioner, being a lady, is the owner of the



vehicle. It is next submitted that though the motorcycle is in the name of the petitioner, but it is generally used by her husband, who had lent the motorcycle to the accused persons as it was requested by them that they had some urgent work.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner and the fact that the petitioner is a lady and was not apprehended at the spot, as such, nothing was recovered from conscious possession, 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 Sarairanjan P. S. Case No.11 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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