

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37218 of 2022**

Arising Out of PS. Case No.-116 Year-2022 Thana- MADANPUR District- Aurangabad

SARITA DEVI WIFE OF NAVEEN YADAV R/O VILLAGE- BARA TAND,
P.S.- BANKEY BAZAR, DISTRICT- GAYA (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Leelawati Kumari

For the Opposite Party/s : Mrs.Anita Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 23-09-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

Petitioner apprehends her arrest in connection with a case registered for the offence punishable u/s 30(a), 33 of the Bihar Prohibition and Excise Act, 2018.

Altogether 45 litres of country made liquor is said to have been recovered from a motor cycle. The husband of the petitioner was apprehended on the spot.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. Petitioner has been falsely implicated in this case at



the instance of his enemies. Her name transpired in this case because she is the owner of the said motor cycle. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from her conscious physical possession. She has no concern either with the seized liquor or any trade of liquor. Petitioner has no criminal antecedent.

Petitioner is agreed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) in the Bihar State Legal Services Authority, Budh Marg, Patna bearing Account No.0380000100252472, IFSC PUNB0038000, Punjab National Bank.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of her arrest/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.25,000/- (Rupees Twenty Five Thousand) 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 Madanpur P.S. Case No.116 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions.

- (1) That one of the bailors will be a close relative of



the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.10,000.00/- (Rupees Ten Thousand) in the Bihar State Legal Services Authority.

(Anjani Kumar Sharan, J)

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