

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37569 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- FORBESGANJ District- Araria

Poonam Devi Wife Of Ashok Mandal R/O Village- Bhagkohaliya, Ward No.-
03, P.S.- Forbesganj, Distt.- Araria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh
For the Opposite Party/s : Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2022 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) and 37(c) of the Excise Act, 2016.

The learned counsel for the petitioner submits that the petitioner has antecedent of one case and is a woman and the allegation is of recovery of 01 litre of liquor and 7.500 litres of Nepali liquor from plastic bag from the house of Ashok Mandal.

The learned counsel for the petitioner submits that the petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is next submitted that even the alleged place from where the recovery was alleged, does not belong to the petitioner. It is next alleged that the petitioner came to be implicated merely because she is wife of Ashok Mandal. It is also



submitted that the police further implicated her for falsely based on confessional statement of Ashok Mandal, who is her husband. The learned counsel submits that even if the wife would have participated in the occurrence, then also the husband would not have named her. The fact that her name transpired in the confessional statement of her husband that creates doubt with regard to the veracity of the allegation as alleged in the F.I.R.

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 Forbesganj P. S. Case No.13 of 2022, 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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