

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51821 of 2022

Arising Out of PS. Case No.-33 Year-2022 Thana- HATHAURI District- Muzaffarpur

1. Vikash Sah, Son Of Late Ram Sanjog Sah R/O Village- Shahur, P.O. Pitaujhia, P.S.- Hathauri, District- Muzaffarpur
2. Nibha Kumari, Wife Of Vikash Sah R/O Village- Shahur, P.O. Pitaujhia, P.S.- Hathauri, District- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha

For the Opposite Party/s : Ms. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-10-2022 Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.1, Vikash Sah.

Permission is accorded.

Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.1.

Heard learned counsel for the petitioner no.2 and learned APP for the State.

The petitioner no.2 seeks bail in anticipation of her 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 person with clean antecedent and is a woman and the



allegation is of recovery of 12.26 litres of liquor from the house of Vikash Sah.

The learned counsel for the petitioner submits that the petitioner was not arrested from the spot, as such, nothing was recovered from her conscious possession. It is also submitted that being wife of Vikash Sah, she has been implicated when admittedly petitioner was not even present at the place of occurrence, nor she was aware that her husband was indulging in such illegal activity.

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. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Hathauri P. S. Case No.33 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

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