

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53621 of 2022

Arising Out of PS. Case No.-489 Year-2022 Thana- GANDHIMAIDAN District- Patna

BHARTI DEVI Wife of Late Ashok Kumar Yadav Resident of Shanti Niwas,
Bhawar Pokhar, P.O. and P.S.- Gandhi Maidan, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Shukla, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner, at the outset, seeks permission to make rectification in paragraph '1' of the anticipatory bail application.

Permission is accorded.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 30(a), 32 (II) (III), 36 and 41 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 98.5 litres liquor from the dicky of a bus.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing



was recovered from her conscious possession and she came to be implicated merely because she is owner of the bus from where the alleged recovery has been made, it is next submitted that police in a mechanical manner is investigating excise cases without appreciating the fact that the bus is a commercial vehicle and anyone can keep liquor in bus.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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, be released on anticipatory bail on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) 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 Gandhi Maidan P.S. Case No. 489 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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