

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57327 of 2022

Arising Out of PS. Case No.-174 Year-2022 Thana- RIGA District- Sitamarhi

SITA DEVI W/o Gagandev Sahni R/o Village- Babhangama, Ward no. 7, P.S.-
Riga, Distt- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and allegation is of recovery of 36 litres of liquor from her courtyard.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from her conscious possession, it is next submitted that she came to be implicated based on confessional statement of Dasrath Sahni in police custody which does not



have any evidentiary value, it is also submitted that it has been specifically pleaded that the alleged recovery is not from the house of the petitioner but alleged courtyard which is an open space and is accessible to villagers at large.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Riga P.S. Case No. 174 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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