

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72295 of 2021

Arising Out of PS. Case No.-318 Year-2021 Thana- FATEHPUR District- Gaya

SUNITA DEVI D/o Latan Manjhi, W/o Late Ranjeet Manjhi Resident of Village - Morahe, P.s.- Fatehpur, Distt.- Gaya. at Present Resident of Village - Tapsa, P.s.- Fateh Pur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Nandan, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-07-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks. In the eventuality of non-removal of defects within the 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) of the Bihar Prohibition and Excise Act.

Altogether 4 liters of country made liquor is said to have been recovered from a paddy field behind the house of the petitioner.

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 her enemies. 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. The said place of recovery does not belongs to the petitioner, as the same is a paddy field behind the house of the petitioner. She has two criminal antecedent, as also mentioned in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 20,000.00/- (Rupees Twenty Thousand) in the Patna High Court Legal Services Committee, Patna bearing Account No.1413010060836, IFSC PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

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 Fatehpur P.S. Case No.318 of 2021, 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.20,000.00/- (Rupees Twenty Thousand) in the Patna High
Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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