

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67605 of 2022

Arising Out of PS. Case No.-57 Year-2022 Thana- SACHIVALAYA District- Patna

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Anju Devi, Wife Of Mohan Ram @ Sanjay Ram R/O Yarpur Band Railway
Gumti, P.S.- Gardanibagh, Distt.- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned APP
for the State through video conferencing.

The petitioner seeks bail in anticipation of her arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the petitioner has antecedent of six cases and is a woman and the allegation is of recovery of 163.62 litres of liquor from a broken hut of petitioner and 186.5 litres of liquor from bags kept in the bushes found beside the petitioner's broken hut.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that based on secret information, she came to be implicated which is the easiest way to implicate someone in order to save the real culprit. It is also submitted that since petitioner has antecedent as



such, she was implicated in the present case also. It is also submitted that specific averment has been made in Paragraph-10 of the anticipatory bail application that the hut from where the alleged recovery was made does not belong to the petitioner.

Learned A.P.P. opposes the 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, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Sachivalaya P. S. Case No.57 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has more than six antecedents, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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