

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70615 of 2022

Arising Out of PS. Case No.-338 Year-2022 Thana- MAHUA District- Vaishali

PREM DEVI W/O DEVENDRA BHAGAT Resident of village- Mahua Singh
Ray, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-12-2022 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 Section 272, 273 and 34 of the
Indian Penal Code & Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman and
allegation is of recovery of 45.750 liters of liquor from a Hyundai
Car.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from her conscious possession, it is next submitted that
that petitioner came to be implicated merely because she is owner
of the car. It is also submitted that no prudent person would use
his/her own vehicle for committing an occurrence and thus create



evidence against himself/herself. It is also submitted that petitioner was completely unaware that her relative would misuse the vehicle in the manner as alleged.

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) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahua P.S. Case No. 338 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned Trial Court before accepting the bail bonds shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even a single case then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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