

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70895 of 2022

Arising Out of PS. Case No.-121 Year-2021 Thana- KANTI District- Muzaffarpur

MOSTT. LALITA DEVI W/O Late Raj Kumar Sahani R/O Village- Kanti
Kothiya, Ward No- 14, P.S- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, 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 Sections 272 and 273 of the Indian Penal Code and 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 15 liters of liquor from hut of Kishore Sahni, further 2 liters of liquor from the petitioner's hut and 14 liters of liquor lying outside the petitioner's hut.

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 the hut also does not belong to the petitioner as it has been specifically pleaded at para 7 of the anticipatory bail application, it



is next submitted that it appears that in order to save the real culprits, the Excise Department has falsely implicated the petitioner.

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 Kanti P.S. Case No. 121 of 2021 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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