

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4447 of 2023

Arising Out of PS. Case No.-163 Year-2021 Thana- ARIYARI District- Sheikhpura

BABY DEVI @ BEVI DEVI W/O TUNTUN SINGH Resident of Village-
Indupur, P.S.- Badahiya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan,Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 01-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends her arrest in connection with Excise Case No. 442 of 2021 arising out of Ariyari (Mahuli O.P.) P.S. Case No. 163 of 2021 for the offence registered under Sections 30(a), 32 and 45 of Bihar Prohibition and Excise(Amendment) Act and Sections 25(1-b)a, 26 and 35 of Arms Act.

As per the prosecution story, altogether 135 litres liquor was recovered from 'Bolero' vehicle and accused persons were arrested. The petitioner is the owner of the said vehicle.

Learned counsel for the petitioner submits that she had nothing to do with the alleged recovery, has been made accused only because the vehicle is registered in her name



which was being used for commercial purposes.

Taking into account the fact that the petitioner is a lady, do not have criminal antecedent, her name has come due to she being the owner of the vehicle, this Court is inclined to extend her privilege of anticipatory bail with conditions.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II, Sheikhpura in connection with Excise Case No. 442 of 2021 arising out of Ariyari (Mahuli O.P.) P.S. Case No. 163 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C with further conditions:

(i) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Jagdish/Neha/-

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