

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9422 of 2023

Arising Out of PS. Case No.-157 Year-2022 Thana- KANHAULI District- Sitamarhi

SUNITA DEVI W/O Bhola Ray R/O Village- Madhukarpur Ward No- 7, P.S-
Kanhauli District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 341, 324, 333, 353, 504, 506 and 34 of the Indian Penal Code and Sections 30(A)/45 of Bihar Prohibition and Excise Act.

From a sack kept behind the house of the petitioner, 36 litres of Nepali Saufi wine has been recovered.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is no recovery from conscious possession of the petitioner.



Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Petitioner is agree to deposit a sum of Rs.10,000/- (rupees ten thousand) in the account of Bihar State Bar Council Welfare Fund, bearing Account No.31861041899, IFSC Code: SBIN0010340, High Court Campus Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of her arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1, Sitamarhi in connection with Kanhauli P.S. Case No.157 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be her own blood relative, preferably, father, mother, brother, sister and/or her husband.

(ii) The petitioner shall not indulge herself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by



the learned court below on showing receipt of deposit of the
aforesaid amount in Bihar State Bar Council Welfare Fund.

(Anjani Kumar Sharan, J)

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