

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 15691 of 2023

Arising Out of PS. Case No.-81 Year-2022 Thana- NTPC KHAIRA District- Aurangabad

SUNITA DEVI W/o Sikandra Sah R/o village- Chandanpura, P.S.- Tilauthu,
Distt- Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Md. Anbzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-05-2023 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 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and allegation is of recovery of 7.5 liters of recovery along with a mobile phone from a bag.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot, as such, nothing was recovered from his conscious possession, it is next submitted that the petitioner came to be implicated as the motorcycle which was seized belongs to her. It is next submitted



that petitioner had given the motorcycle to her neighbor and as such, was not aware that the neighbor would misuse the vehicle in the manner as alleged in the FIR, as no prudent person would misuse her own vehicle for committing a crime and thus would get implicated easily.

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 his 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. 500/- (Rupees Five Hundred) 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 NTPC Khaira P.S. Case No. 81 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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