

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14462 of 2023

Arising Out of PS. Case No.-637 Year-2022 Thana- MADANPUR District- Aurangabad

BEBI DEVI @ BABY DEVI Wife of Binod Bhuiyan R/v- Dokri, P.S.-
Madanpur, District- Aurangabad

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rakesh Singh, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Madanpur P.S. Case No. 637/2022 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise Act. She has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant who is S.I. of police, has alleged that while he along with other police officials were on patrolling duty, he received a confidential information that one Binod Bhuiyan is manufacturing liquor and selling it from his house, thereafter he reached at the place and saw that one lady on the road side is fleeing away on seeing the police after leaving the gallon on the road. On search nine liters of Mahua liquor was recovered.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that as per F.I.R. nine liters of country made mahua liquor was recovered from the road in front of the house of Binod Bhuiyan. Learned counsel further submits that this lady petitioner was seen fleeing away from the road side. She has been implicated in this case only on suspicion.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is noticed that the gallon containing country made liquor was recovered from the side of the road and petitioner has been implicated on suspicion that she was fleeing away from the spot, she has, otherwise no criminal antecedent, this Court, therefore, directs that in case of her arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 1, Aurangabad, in connection with Madanpur P.S. Case No. 637/2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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