

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15761 of 2023

Arising Out of PS. Case No.-02 Year-2023 Thana- BAHADURPUR District- Patna

SHALU DEVI W/o Manoj Manjhi R/o-Railway Hunder Road, East Lohanipur, P.S.-Kadamkuan, District-Patna. (Owner of Yamaha Cygnus RAYZR Streetr bearing Reg. No.-BR01EX5730)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, 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 40 liters of liquor from a scooty.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot, as such, nothing was recovered from her conscious possession, it is next submitted that petitioner has been falsely implicated in the present case, it is next submitted that petitioner is owner of the



scooty but had given her scooty to her neighbor Ajit Kumar and thus was not aware that Ajit Kumar would misuse the vehicle for such illegal purpose, it is next submitted that no prudent person would use her own vehicle for committing a crime leading to seizure of the vehicle.

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) 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 Bahadurpur P.S. Case No. 2 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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