

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18017 of 2023**

Arising Out of PS. Case No.-174 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.  
District- Madhepura

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Lawati Devi, S/O Dinesh Yadav @ Dinesh Prasad Yadav Resident Of Village-  
Mathahi, Ward No.- 05, P.S. And District- Madhepura.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dinesh Prasad Verma  
For the Opposite Party/s : Mr. Jagdhar Prasad

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      10-05-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in anticipation of her arrest in a  
case registered for the offences punishable under Section 30(a) of  
the Excise Act.

The learned counsel for the petitioner submits that the  
petitioner is a woman and is a person with clean antecedent and  
the allegation is of recovery of 912.78 litre of liquor from a trolley  
of a tractor.

The learned counsel for the petitioner submits that  
petitioner was not arrested from the spot, as such, nothing was  
recovered from her conscious possession. It is next submitted that  
petitioner came to be implicated because the trolley is registered in  
her name. It is further submitted that no prudent person would use



her own vehicle for committing a crime and thus, would get implicated. It is next submitted that during agricultural season villagers take her trolley on rent and as such, the petitioner had given her trolley to a villager for carrying out the agricultural purposes and thus, was not aware that the trolley would be misused in the manner as alleged.

Learned A.P.P. opposes the bail application.

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 Court below within a period of six weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Judge Excise- IInd, Madhepura in connection with Excise P. S. Case No.174 of 2019-20 related to Excise Case No.957 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

**(Satyavrat Verma, J)**

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