

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 15749 of 2023

Arising Out of PS. Case No.-400 Year-2022 Thana- PHULWARIYA District- Gopalganj

INDU DEVI @ INDU KUMARI WIFE OF AKENDRA KUMAR @
AKENDRA MAHTO R/O VILLAGE- MAJHOLIA, P.S.- SARAI,
DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, 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 allegation is of recovery of 20.700 liters of liquor from a motorcycle.

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 came to be implicated on the ground that one of the motorcycles belongs to him, it is further



submitted that no prudent man would misuse his own vehicle for committing a crime leading to seizure of the vehicle. The learned counsel next submits that petitioner had given her motorcycle to a friend and thus was not aware that he will misuse for such illegal purpose.

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 Phulwariya P.S. Case No. 400 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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