

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27769 of 2023

Arising Out of PS. Case No.-155 Year-2022 Thana- MALSALAMI District- Patna

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MENKA DEVI W/O VIRENDRA SINGH Resident of village- Sampatchak,
P.S.- Gopalpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a women and is person with clean antecedent and allegation is of recovery of 8.25 liters of liquor from an Auto and Ranjeet was arrested.

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 the petitioner being the owner of the Auto was mechanically implicated in the case, it is next submitted that no



prudent person would use his own vehicle for committing a crime, it is further submitted that petitioner had given the Auto to Ranjeet and, as such, was not aware that he would misuse the vehicle in the manner as alleged in the FIR which would adversely affect her livelihood also.

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. 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 Malsalami P.S. Case No. 155 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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