

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26831 of 2023

Arising Out of PS. Case No.-399 Year-2022 Thana- KEWATI District- Darbhanga

SARASWATI KUMARI @ SARSWATI KUMARI WIFE OF GAMA
PASWAN RESIDENT OF VILLAGE- RAMSHALA @ SHAMSHALA PS-
DARBHANGA SADAR, DISTT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udeshya Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 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 44 liters of liquor from a Scooty and hand bag of Sudhir Chaupal.

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 being owner of the Scooty came to be



implicated in the present case, it is further submitted that no prudent person would misuse her own vehicle for committing a crime and thus would get implicated easily, it is also submitted that petitioner had lent the Scooty to Sudhir Chaupal and as such, was not aware that he would misuse the vehicle in the manner as alleged in the FIR.

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. 500/- (Rupees Five Hundred) 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 Keoti P.S. Case No. 399 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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