

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30014 of 2023

Arising Out of PS. Case No.-27 Year-2023 Thana- BIRAUL District- Darbhanga

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PHOOL DEVI @ PHUL DEVI WIFE OF LATE BAIJNATH MAHTO @
LATE BAIJNATH PASHI RESIDEN OF VILLAGE- JIRAT, PS-
GHANSHYAMPUR, DISTT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajib Ranjan Jha, Advocate

For the Opposite Party/s : Ms. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 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 woman and is a person with clean antecedent and
allegation is of recovery of 2.500 liters of liquor from a hut.

Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from her conscious possession, it is next submitted
that she came to be implicated at the instance of independent
witnesses, but then the FIR does not disclose their names, as



such it creates doubt with regard to the veracity of the allegations as alleged in the FIR. It is also submitted that petitioner is not the owner of the hut.

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 Biraul P.S. Case No. 27 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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