

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30017 of 2023

Arising Out of PS. Case No.-281 Year-2021 Thana- NARPATGANJ District- Araria

MANOBHA DEVI @ MANABHA DEVI Wife of Kailash Yadav @ Kelash
Yadav Resident of Village - Bhorhar, P.S.- Fulkaha, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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 99 liters of liquor from a motorcycle.

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 the F.I.R. does not even remotely suggest that at the place of occurrence a woman was also present or she fled seeing the police. It is next submitted that petitioner came to be implicated as she is owner of the seized motorcycle. It is further submitted



that no prudent person would use his/her own vehicle for committing a crime and thus would create evidence against himself/herself and hence would get implicated. It is next submitted that petitioner was completely unaware that her male friend would misuse the vehicle in the manner as it has been alleged.

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 Narpatganj (Bathnaha O.P) P.S. Case No. 281 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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