

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29565 of 2023

Arising Out of PS. Case No.-38 Year-2023 Thana- CHANDRAMANDI District- Jamui

SHOBHA DEVI W/O AJIT KUMAR R/O Mohalla- Chanakya Nagar
Kumharar, P.S- Agamkuan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Rana Randhir 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 having clean antecedent and allegation is of recovery of 221.700 litres of liquor from a Hyundai car.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from her conscious possession and she came to be implicated in the confessional statement of Akash in police custody which does not have any evidentiary value, it is next submitted that petitioner being owner of the car was implicated



but then no prudent person would use his own vehicle for committing a crime and thus would create evidence against herself and hence would get implicated, it is next submitted that the petitioner was completely unaware that her driver Akash would misuse the vehicle in the manner as has been alleged, when admittedly the petitioner is a person with clean antecedent.

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 Court below 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 court below where the case is pending/successor court in connection with Chandramandi P.S. Case No. 38 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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