

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34976 of 2023

Arising Out of PS. Case No.-210 Year-2022 Thana- LADANIA District- Madhubani

SARITA DEVI Wife of Late Shivrindan Ray Resident of Village- Thadhi
Ward No. 15, Police Station- Ladaniya, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Minakshi Kumari

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the Indian Penal Code as well as under Section 30(a) of the Bihar Prohibition and Excise Act.

18 litres of Nepali liquor has been recovered from a scooty.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that petitioner is made accused in the present case as she is owner of the said scooty. It



is submitted that before the occurrence, the petitioner has already sold her scooty to another person (Annexure-2 of the bail petition). It is further submitted that there is no recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 10,000/- (rupees ten thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let 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 enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani/Successor Court in connection with Ladaniya P.S. Case No.210 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be her own blood relative,



preferably, father, mother, brother, sister and/or her husband.

(ii) The petitioner shall not indulge herself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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