

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42005 of 2023**

Arising Out of PS. Case No.-228 Year-2021 Thana- GAUTAMBUDHNAGAR District-
Siwan

=====

SABITA KUMARI @ SAVITA DEVI Resident of Village - Banjariya, P.S.-
Muffasil Siwan, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

=====

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 05-07-2023 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 30 litres of liquor from a motorcycle.

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 since she is owner of the seized vehicle. It is
further submitted that no prudent person would use her own



vehicle for committing an occurrence and thus would get implicated by creating evidence against herself. It is next submitted that the petitioner was completely unaware that Ashok, who was apprehended from the spot, would misuse her 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 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 G.B. Nagar P.S. Case No. 228 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

