

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40723 of 2023

Arising Out of PS. Case No.-171 Year-2023 Thana- SIRDALA District- Nawada

=====

KAMLA DEVI W/O KAPIL RAJBANSHI R/O Village- Thekahi, P.S-
Sirdalla, Distt.- Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Ms. Gauri Shankar Gupta, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-07-2023 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 Sections 30(a) and 41 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and allegation is of recovery of 24 liters of liquor from a motorcycle and 26 liters of liquor from another 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, it is next submitted that petitioner being owner of one of the seized vehicles came to be implicated, it is next submitted that no



prudent person would use her own vehicle for committing a crime and thus would create an evidence against herself and hence would get implicated easily, it is further submitted that petitioner was completely unaware that Rajesh would misuse the vehicle in the manner as alleged who was also arrested from the spot.

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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sirdala P.S. Case No. 171 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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

