

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45006 of 2023

Arising Out of PS. Case No.-274 Year-2021 Thana- DALSINGHSARAI District- Samastipur

RAJIYA DEVI WIFE OF VINOD RAI @ VINOD RAY RESIDENT OF
VILLAGE- UMEDPUR, PS- TAJPUR, DISTT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a women and
allegation is of recovery of 70.875 liters of liquor from a Santro
car and 9 liters of liquor from a Splendor motorcycle.

4. 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 he came to be
implicated based on the fact that he is the owner of the seized
motorcycle, 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, it is next submitted that the petitioner was completely unaware that her neighbor would misuse the vehicle in the manner as alleged.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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 Dalsingsarai P.S. Case No. 274 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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