

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45669 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- PARSAUNI District- Sitamarhi

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Anju Devi, W/O Sunil Sah R/O Village- Bairgania Adamwan, Ward No. 1,
P.S.- Bairgania, Dist.- Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Ms.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

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

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and is a woman
and the allegation is of recovery of 256.800 litres of liquor from
the straw house of Baibhav Kumar. Further, two motorcycles
were also seized.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from her conscious possession. It is next submitted
that petitioner, being owner of the seized vehicle, 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 evidence against himself and hence, would get implicated. It is further submitted that petitioner was completely unaware that would misuse the vehicle in the manner as alleged as she was also apprehended at the spot.

5. Learned A.P.P. opposes the bail application.

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 Court below within a period of six weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-II, Sitamarhi in connection with Parsauni P. S. Case No.30 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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