

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46682 of 2023

Arising Out of PS. Case No.-177 Year-2023 Thana- SIDHWALIYA District- Gopalganj

SHANTI DEVI Wife of Laxman Nat Resident of Village - Parsauni, P.S.-
Sidhwalia, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Prasad

For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-07-2023 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 Sections 30(a)(b)(c)
(d) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner is a person with one antecedent and is a women and
allegation is of recovery of 37 liters of liquor from a bush
situated behind the house of Ramesh Nut.
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 she came to
be implicated based on confessional statement of Reshami and
Balkeshi Devi in police custody which does not have an



evidentiary value, it is next submitted that even the alleged recovery is from a place which is accessible to public at large.

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. 5,000/- (Rupees Five 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 Sidhwalia P.S. Case No. 177 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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