

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54111 of 2023

Arising Out of PS. Case No.-348 Year-2023 Thana- PATNA CITY CHOWK District- Patna

SUMAN DEVI WIFE OF JAYKANT RAI RESIDENT OF VILLAGE-
BAGHLODAN GALI, PS- CHOWK, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Ms. Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2023 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 offence punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and is a woman and allegation is of recovery of 140 liters of liquor from a pulling cart.

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 merely based on disclosure made by the villager but then the FIR does not disclose the name of the villager who



disclosed the name of the petitioner which casts an aspersion on the case of the prosecution, it is further submitted that petitioner is not the owner of the cart from which the recovery was made.

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. 10,000/- (Rupees Ten 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 Patna City Chowk P.S. Case No. 348 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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