

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65893 of 2023

Arising Out of PS. Case No.-196 Year-2023 Thana- MIRGANJ District- Gopalganj

Sanju Devi, Wife of Mudi Pasi R/o vill - Marachhiya Chauk, P.S. - Mirganj,
Distt. - Gopalganj. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate
For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Mirganj P.S. Case No. 196 of 2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act. She has got no criminal antecedent.

3. As per the prosecution story, on 26.05.2023, the informant along with other police officials on a secret information that Sanju Devi (this petitioner) is selling illicit liquor in front of her house reached there and on seeing the police party, petitioner fled away. On search, altogether 8.280 liters of foreign wine was recovered in front of the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no recovery from the conscious possession of the petitioner.

5. Learned APP for the State has opposed the prayer for



anticipatory bail of the petitioner.

6. Having regard to the submission that the alleged 8 liters 280 ml of foreign wine is said to have been recovered from a place which is in front of the house of the petitioner and the petitioner was not apprehended on the spot as also that she has no criminal antecedent, this Court directs that in case of her arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Mirganj P.S. Case No. 196 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge IVth, Cum-Special Judge Excise Court No. II, Gopalganj, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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