

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78590 of 2023

Arising Out of PS. Case No.-254 Year-2023 Thana- THAWE District- Gopalganj

ANU DEVI @ ANU SINGH W/O SANTOSH SINGH VILLAGE-
BAGAHAN NIJAMAT, PS. THAWE, DIST. GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-12-2023 Heard the parties.

2. The petitioner is apprehending arrest in connection with Thawe P.S. Case No. 254 of 2023 instituted under Section 30(a) of the Bihar Prohibition and Excise Amendment Act lodged on 26.08.2023 by the informant, Pintu Kumar.

3. As per the prosecution story, the allegation is that the police upon secret information that the lady petitioner is selling liquor reached the place, recovered 08.400 liters of country made liquor. Accordingly the FIR.

4. Learned counsel for the petitioner submits that the recovery is from an open place and the lady has been unnecessarily dragged in this matter. Further she does not have any criminal antecedent.

5. Learned APP opposes the prayer for bail of the



petitioner.

6. Taking into account the aforesaid facts and submissions put forward by the parties as also the fact that she is a lady and does not have criminal antecedent.

7. Let the petitioner be released on bail, in the event of her arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Thawe P.S. Case No. 254 of 2023 to the satisfaction of learned Additional District and Session Judge 2nd, Cum Special Excise Court, 1st, Gopalganj subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

(Rajiv Roy, J)

Adnan/-

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