

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.559 of 2023

Arising Out of PS. Case No.-322 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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SHILPA DEVI W/o Mantu Prasad R/o Village- Chakmahmuda, P.S.-
Maharajganj, Distt- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mrs.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending her arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that there is no recovery from the conscious
possession of the petitioner rather 16 liters of country-made
liquor is said to have recovered from the motor-cycle. He further
submits that two persons were apprehended on the spot with the
motor cycle. He submits that petitioner is made accused because
she is the owner seized motor-cycle and also wife of the co-



accused Mantu Prasad. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 10,000/- (Rupees Ten Thousand) in the PM Cares Fund, bearing Account No. 2121PM20202, IFSC Code: SBIN0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID: pmcares@sbi.

Considering the facts and circumstance of the case and the fact that there is nothing recovered from the conscious possession of the petitioner and petitioner is a lady, let the above named petitioner, in the event of her arrest or surrender before the learned Court below within a period of eight weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Siwan Excise P.S. Case No. 322/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to



inform the court if there is any change in the address of the petitioner.

(II) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the account of PM Cares Fund.

(Anjani Kumar Sharan, J)

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