

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11957 of 2024

Arising Out of PS. Case No.-1244 Year-2023 Thana- Excise P.S. District- Darbhanga

Shila Devi Wife Of Chandeshwar Ram R/O-Gausa, P.S.-Darbhanga Town,
Distt.-Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of her
arrest in a case registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a women and
allegation is of recovery of 10 liters of liquor from a scooty.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from her conscious
possession and she came to be implicated based on the fact that
she is owner of the Scooty. It is next submitted that no prudent
person would use his own vehicle for committing an occurrence
and thus would create evidence against herself and hence would
get implicated. It is next submitted that petitioner was



completely unaware that Tonu Kumar would misused the vehicle in a manner as alleged as he was also apprehended from the spot.

5. The learned APP for the State opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Excise Sadar P.S. Case No.1244 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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