

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16406 of 2024

Arising Out of PS. Case No.-269 Year-2023 Thana- ROSERA District- Samastipur

Kavita Devi Wife of Nirdhan Mahto Resident of Gothara, Ward No.-01, P.S.-
Rosera, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-03-2024 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 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 allegation is of recovery of 720 ml. of liquor from a *motorcycle*.

4. Learned counsel for the petitioner submits that petitioner was not apprehended 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 motorcycle. It is further submitted that no prudent person would use her own vehicle for committing an occurrence and thus



create evidence against herself and hence would get implicated. It is also submitted that petitioner was completely unaware that Nirdhan Mahto would misuse the vehicle in the manner as alleged as he was also apprehended on the spot.

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.500/- (Rupees Five Hundred) 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 Rosera P.S. Case No 269 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

lata/-

U		T	
---	--	---	--

