

Arising Out of PS. Case No.-16 Year-2024 Thana- NARDIGANJ District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-04-2024 1. Heard learned counsel for the petitioner and
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 Excise Act.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and is a woman and the allegation is of recovery of 10.5 litres of liquor from a place in front of the house of the petitioner, 3.5 litres of liquor from possession of Dulari Devi, 06 litres of liquor from possession of Manju Devi.

4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from her conscious possession and even alleged



recovery is from a place, which does not belong to the petitioner and he came to be implicated at the instance of Chaukidar with whom he is on an inimical term. In most of the cases, innocent persons are being implicated by the police either at the instance of Chaukidar or local people. It is thus submitted that if the Chaukidar was aware that the petitioners had concealed the liquor in the house, why he did not inform the police earlier and why the said fact was disclosed after the liquor is alleged to have been recovered, which cast an aspersion on the case of the prosecution.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his 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.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-IIInd, Nawada in connection with Nardiganj P. S. Case No.16 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the



criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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