

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27120 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- NATHNAGAR District- Bhagalpur

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Budhiya Devi @ Rinku Devi @ Budho Devi W/o Late Paro Yadav R/o vill -
Chauki Niyamatpur, P.s. - Nath Nagar, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar

For the Opposite Party/s : Mr. Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-04-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of Bihar Prohibition
and Excise Act, 2016.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and is a woman and allegation
is of recovery of 5 litres of liquor from a bamboo orchard of Chandra
Shekher Yadav allegedly thrown by the petitioner. It is next
submitted that petitioner was not arrested from the spot as such
nothing was recovered from his conscious possession and even
alleged recovery is from a place, which does not belong to the
petitioner and is accessible to public at large and he came to be
implicated at the instance of local people but then the name of the
person who disclosed the name of the petitioner is not mentioned in



the F.I.R., which casts an aspersion on the case of the prosecution.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Nath Nagar P.S. Case No.34/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents 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 order shall not be given effect to.

(Satyavrat Verma, J)

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