

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26884 of 2024

Arising Out of PS. Case No.-155 Year-2024 Thana- ALAMGANJ District- Patna

Baby Devi, W/O- Kanhai Prasad Vill-Sadikpur, Langru Akhara, P. S.-Chowk,
Dist-Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-04-2024 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 Sections
30(a) and 32 of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and is a woman the
allegation is of recovery of 20 litres of liquor from a scooty.

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 she came to be
implicated based on the fact that she is owner of the seized scooty.
It is next submitted that no prudent person would use his own
vehicle for committing a crime and thus, would create evidence
against herself and hence, would get implicated. It is further



submitted that petitioner was completely unaware that her friend would misuse the vehicle in the manner as alleged as he was also apprehended at the spot.

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 her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on her 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 Special Judge, Excise, Patna City, Patna in connection with Alamganj P. S. Case No.155 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 even one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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