

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28583 of 2024

Arising Out of PS. Case No.-466 Year-2023 Thana- AAJAM NAGAR District- Katihar

=====

Akta Devi @ Ekta Devi wife of Ganga Ram Bishwas Village- Nagar Ps-
Azamnagar Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Md Musowir

For the Opposite Party/s : Mr.Kanhaiya Kishore(APP100)

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 16-04-2024 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 is a person with clean antecedent and and

is a woman and allegation is of recovery of 17.670 litres of

liquor from a motorcycle.
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 he



came to be implicated based on the fact that he is owner of the seized vehicle. It is next submitted that no prudent person would use his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is further submitted that petitioner was completely unaware that Pritam Vishwas would misuse the vehicle in the manner as alleged as he was also apprehended at the spot along with Shyam Sundar Sharma, Govind Sharma and Akshya Singh.

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 A.D.J.-cum- Exclusive Excise Court No.2, Katihar in connection with Azamnagar P. S. Case No.466 of 2023, 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)

vikash/-

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

