

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30819 of 2024

Arising Out of PS. Case No.-570 Year-2023 Thana- Excise P.S. District- Siwan

Yogita Devi, W/O Late Bhim Keshri Yadav R/O Village - Hathauji, P.S. -
Nautan, District - Siwan

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-04-2024 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 is a woman
the allegation is of recovery of 990 litres of liquor from a
Scorpio vehicle.
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
Scorpio. It is next submitted that no prudent person would use



her 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 Sonu Kumar would misuse the vehicle in the manner as alleged as he was also apprehended at the spot along with Tarkeshwar Kumar, who disclosed the name of the petitioner in confessional statement, which does not have any evidentiary value.

5. Learned A.P.P. opposes the anticipatory 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.II, Siwan in connection with Siwan Excise P. S. Case No.570 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)

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