

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30067 of 2024

Arising Out of PS. Case No.-35 Year-2023 Thana- NADI District- West Champaran

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Annu Devi Wife of Siya Kant Tiwari Resident of Village- Matwa Prabhu
Ram, P.O.- Matwa Rup, Police Station and District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-04-2024 1. Heard learned counsel for the petitioner as well as
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 Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a women and
allegation is of recovery of 1013 liters of liquor from a Bolero
Pickup vehicle.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from her conscious
possession and is not the owner of the seized vehicle and she
came to be implicated based on confessional statement of Anish
in police custody which does not have any evidentiary value.

5. The learned APP for the State 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 her 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 Special Judge, Excise, Bagaha, West Champaran in connection with Nadi P.S. Case No.35 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. 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 order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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