

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29697 of 2024

Arising Out of PS. Case No.-209 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

=====

Bimal Devi @ Bimla Devi, W/O Darwari Sahani R/O Village- Sripur Gahar,
P.S- Khanpur, Distt- Samastipur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Kumar Rajeev

For the Opposite Party/s : Mr.Satya Nand Shukla

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 22-04-2024 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)(d) and 38(1) of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and is a woman and the
allegation is of recovery of 10 litres of liquor from the house of the
petitioner.
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 after Amendment in
the Excise Act, 2018, the concept of deemed possession and
presumed offender has been done away with. It is further



submitted that petitioner he came to be implicated based on secret information, which is the easiest way to implicate someone.

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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-IIInd, Samastipur in connection with Excise Case No.209 of 2018, 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 more than one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

vikash/-

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

