

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30973 of 2024

Arising Out of PS. Case No.-452 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Jagruti Acharya @ Jagrutiben Acharya @ Acharya Jagruti D/o Nareshbhai Acharya Resident of B-10, Kunj Duplex, Near Varjadhara-2, Tarsali, P.S.- Mokarpura, Vododara, Ongccell, Gujrat

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhuresh Singh

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-04-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 467, 468, 471, 120B and Sections 30(a), 32(ii)/36/41(i) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 4892.400 litres of liquor from a truck.

4. Learned counsel for the petitioner submits that the 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



vehicle. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against herself and hence would get implicated, it is further submitted that petitioner was completely unaware that her driver, Ganga Ram, would misuse the vehicle in the manner as alleged in conspiracy with Raja Ram and Deepak Kumar Tiwari, who were also apprehended from the spot. It is next submitted that no businessman would bring disrepute to her own business by indulging in such activity.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Hajipur Sadar P.S. Case No. 452 of 2023, subject to the conditions as 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 antecedents of the petitioner and in the event if it is found that the petitioner has antecedent of more than one case, in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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