

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32976 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- SIKARPUR District- West Champaran

Chinta Devi wife of Chunni Ram @ Chunni Ray Village- Bheriharva Tola
W.No-13, Ps- Shikarpur Dist- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sujeet Kumar, Advocate

For the Opposite Party : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-05-2024 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 offence punishable under Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and allegation is of recovery of one liter of liquor from a field near the house of the petitioner.
4. Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from her conscious possession and even the alleged recovery is from a place which does not belong to the petitioner but she came to be implicated based on suspicion by local person



on the ground that the alleged recovery was from a place which is adjacent to her house, when admittedly petitioner is a person with clean antecedent.

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. 1,000/- (Rupees One Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Shikarpur P.S. Case No. 80 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear 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 to.

(Satyavrat Verma, J)

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