

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33335 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- JAMHOR District- Aurangabad

Susma Devi, Wife Of Late Shailendra Kumar Singh Resident Of Village-
Jamhor Ps- Jamhor, Dist- Aurangabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-05-2024 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 29.73 litres of liquor

from a motorcycle.
4. The learned counsel for the petitioner submits

that petitioner was not arrested from the spot, as such,

nothing was recovered from his conscious possession and



she came to be implicated based on the fact that she is owner of the seized motorcycle. 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 her neighbour would misuse the vehicle in the manner as alleged as he was also apprehended at the spot.

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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court No.02, Aurangabad in connection with Jamhor P. S. Case No.44 of 2024, 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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