

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31588 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- RUPAULI District- Purnia

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Santi Devi @ Shanti Devi Wife of Hira Paswan @ Dinesh Uranw Resident of
Village- Ajhokopa , P.S- Rupauli ,Dist- Purnia

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Diksha Kumar, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-05-2024 Heard Ms. Diksha Kumari, learned counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Rupauli P.S. Case No. 15 of 2024 for the offence registered under section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 lodged on 18.01.2024.

3. As per the prosecution story, the informant alleged that upon information of selling of liquor, the house of the petitioner was raided. The lady managed to escape and identified by the Chawkidar. Upon search, 10 litres of country made liquor was recovered/seized. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that it is a joint house occupied by her and three brothers-in-law. Further, the local Chawkidar and nearby people disclosed her



name, she do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that the house belongs to the petitioner.

6. Taking into account the aforesaid submissions as also the fact that she is a lady and do not have criminal antecedent, this Court is inclined to extend the privilege of anticipatory bail with conditions.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Act-II, Purnia in connection with Rupauli P.S. Case No. 15 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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