

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32171 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- BELAGANJ District- Gaya

Saroj Devi SON OF Late Rambali Prajapat Village -Beladih Bhuai toli PS-
Belaganj Dist -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-05-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Belaganj P.S. Case No. 34 of 2024 for the offence registered under section 30(a) of the Bihar Prohibition and Excise Amendment Act lodged on 17.01.2024 by the informant, Ashok Kumar.

3. As per the prosecution story, the informant alleged that upon secret information, reached the village, one person managed to escaped, named by the *chawkidar* as this lady. Further, upon search, 15 litres country made liquor recovered/seized from plastic container. Accordingly, the F.I.R.

4. Learned Counsel for the petitioner submits that the house is common, she is an old lady, having no role to play and



has no criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Taking into account the fact that recovery is from the house which is a joint property, the petitioner is an aged lady and do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

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 Excise Court No. 2, Gaya in connection with Belaganj P.S. Cases No. 34 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 members/relatives of the petitioner, who shall provide official document to show his *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 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 the 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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