

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33693 of 2024

Arising Out of PS. Case No.-902 Year-2023 Thana- DIGHA District- Patna

Smt. Niran Kumari, Wife Of Arun Kumar Village- Gosain Tola, Near S.S.
Empire, Ps- Patliputra, Dist- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-05-2024 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 and the allegation is of recovery of 1.5 litres of
liquor from a Scooty.

4. The learned counsel for the petitioner submits
that 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 scooty. It is next submitted that no prudent person would use her/his 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.

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-II, Patna in connection with Digha P. S. Case No.902 of 2023, 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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