

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37346 of 2024

Arising Out of PS. Case No.-198 Year-2023 Thana- DAGARUA District- Purnia

Phul Mani Devi @ Mina May @ Tala Kumari Marandi Wife of Late Babu
Ram @ Babu Ram Kisku Resident of Village- Bisharua Malobitta, Mahalbari,
P.S- Dagarua, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-06-2024 Heard learned counsel for the petitioner as well as
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 Bihar Prohibition and Excise Act in connection with Dagarua P.S. Case No.198 of 2023.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a women and allegation is of recovery of 15 liters of liquor from a bush near the house of the petitioner and 10 liters of liquor from the house of Dularchand Rishi.

4. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from her conscious possession and even alleged recovery is from a place which



does not belong to the petitioner and is accessible to public at large but then is adjacent to her house, it is further submitted that petitioner has no concern with Dularchand Rishu and she came to be implicated at the instance of local person, but then the name of the local villager who disclosed the name of the petitioner is not disclosed in the FIR, which cast an aspersion on the case of the prosecution, when petitioner admittedly is a person with clean antecedent.

5. The learned APP for the State opposes the anticipatory 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 his 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 Exclusive Special Judge Excise Court No.1, Purnea in connection with Dagarua P.S. Case No.198 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. 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 order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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