

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40316 of 2024**

Arising Out of PS. Case No.-362 Year-2023 Thana- BARHARIA District- Siwan

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Sandhya Kumari Wife of Amarnath Bhagat Resident of Village - Salahpur,
Police Station - G.B. Nagar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 02-07-2024 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.

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 05 liters of liquor from a motorcycle
in connection with Barharia P.S. Case No.362 of 2023.

4. It is next submitted that petitioner was not
arrested from the spot as such nothing was recovered from his



conscious possession and she came to be implicated being owner of the motorcycle. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against herself and hence would get implicated.

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 Excise Court No.1, Siwan in connection with Barharia P.S. Case No.362 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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