

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47466 of 2024

Arising Out of PS. Case No.-184 Year-2021 Thana- MANIGACHI District- Darbhanga

Anita Devi W/o- Vinod Singh R/O Village- Khwaja Peer Colony W.No-10,
Near 4 No., Chungi Ps- Sirhind (R) Dist- Fatehgarh Sahib Punjab

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Ms. Asha Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-08-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 343.575 litres of liquor
from a vehicle.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from her conscious possession. It is further submitted that
petitioner came to be implicated based on the fact that she is owner
of the seized vehicle. It is next submitted that no prudent person
would use her own vehicle for committing an occurrence and thus
would create evidence against herself and hence would get



implicated. It is also submitted that petitioner was completely unaware that Vikash Kamat would misuse the vehicle in the manner as alleged who was also apprehended from the spot.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Manigachhi (Nehra O.P.) P.S. Case No. 184 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and 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 to.

(Satyavrat Verma, J)

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