

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49954 of 2024

Arising Out of PS. Case No.-235 Year-2023 Thana- BARHARIA District- Siwan

Uma Devi, Wife Of Bigu Ram R/O- Village- Haadiya, P.S.- Barharia, Distt.-
Siwan

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-07-2024 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 has antecedent of one
case and is a woman, but inadvertently at Para-3,
it has been recorded that petitioner is a person
with clean antecedent and the allegation is of
recovery of 10 litres of liquor from a place near the
house of the petitioner.
- 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 even alleged recovery is from a place, which does not belong to the petitioner and is accessible to public at large and she came to be implicated based on secret information, which is the easiest way to implicate someone.

5.Learned A.P.P. 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 her furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thousand) 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.235 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 more than one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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