

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48791 of 2024

Arising Out of PS. Case No.-145 Year-2024 Thana- GURUA District- Gaya

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PYARI DEVI WIFE OF MAHENDRA YADAV RESIDENT OF VILLAGE -
UHARI, P.S. - AMAS, DISTRICT - GAYA, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-07-2024 1. 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 Gurua P.S. Case No.145 of 2024.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and is a women and
allegation is of recovery of 115 liters of liquor from five
motorcycles.

4. It is next submitted 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 the owner of one of the seized motorcycle. 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 it is not the case of the informant that any women was fleeing from the place of occurrence.

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 Excise Court No.5, Gaya in connection with Gurua P.S. Case No.145 of 2024, 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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