

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 48260 of 2024

Arising Out of PS. Case No.-183 Year-2021 Thana- YADOPUR District- Gopalganj

Most. Fulmati Devi W/o Birendra Yadav R/o Village- Rampur Tengrahi, P.S. -
Yadopur, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Raj

For the Opposite Party/s : Ms. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-07-2024 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 Sections 188, 171(E), 171(F) of
I.P.C. and Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman and
allegation is of recovery of 6.400 litres of liquor from a Scorpio
vehicle. It is next submitted that petitioner was not arrested from the
spot as such nothing was recovered from her conscious possession
and is not the owner of the vehicle and she came to be implicated
based on the allegation that Harinder, Santosh, Brajesh and Kedar
were distributing liquor on behalf of the petitioner for getting her
elected in the election of Mukhiya, who were also arrested from the



Scorpio vehicle. It is also submitted that the rival candidate got the petitioner implicated in the instant case through the arrested persons by getting meager amount of liquor planted in the Scorpio vehicle.

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

5. 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 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 trial court where the case is pending/successor court in connection with Yadopur P.S. Case No.183/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents 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 to.

(Satyavrat Verma, J)

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