

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53942 of 2024

Arising Out of PS. Case No.-108 Year-2024 Thana- BENIPATTI District- Madhubani

Kiran Devi W/O Baijanath Mukhiya R/O Vill.- Uchaith, Ward no. 03, P.s.-
Benipatti, Dist.- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikas Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-08-2024 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 414 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act in connection with Benipatti P.S. Case No.108 of 2024.

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 4.8 liters of liquor from a splendour motorcycle.

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 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. It is next submitted that petitioner was completely unaware that his friend would misuse the vehicle in a manner as alleged.

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 Additional District Judge-II, Madhubani in connection with Benipatti P.S. Case No.108 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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