

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58985 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- Tilakeshwar District- Darbhanga

Laliya Devi @ Priyanka Devi W/o Saroj Paswan R/o Village - Ghordaur, P.s.
- Tilakeshwar, Dist. - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar
For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-08-2024 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 offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and is a woman and
allegation is of recovery of 45 liters of liquor from a maize field.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from her conscious possession and alleged recovery is
also from a place which does not belong to the petitioner and is
accessible to public at large and he came to be implicated at the
instance of *Chowkidar*, but then it is submitted that in majority of
the cases, police implicates accused persons either at the instance



of *Chowkidar*, local people, secret information, or confessional statement in a mechanical manner without holding a proper investigation.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) 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 Tilkeshwar P.S. Case No. 02 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear 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 order shall not be given effect to.

(Satyavrat Verma, J)

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