

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60580 of 2024

Arising Out of PS. Case No.-131 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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Renu Devi Wife of Late Munna Mahto Resident of Village- Dhokraha, Police
Station- Majhauriya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party/s : Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-08-2024 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 Sections 30(a) and 37(c) of the Bihar Prohibition and Excise Act in connection with Bettiah Town P.S. Case No.131 of 2022.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases and is a women and allegation is of recovery of 5.58 liters of liquor from a motorcycle, 360 ml of liquor from possession of Amit and 2.160 liters of liquor from possession of Munna.

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 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 next submitted that petitioner was completely unaware that Md. Riyan would misuse the vehicle in a manner as alleged who was also apprehended from the spot.

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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-I, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No.131 of 2022, 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 more than two cases, 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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