

Arising Out of PS. Case No.-166 Year-2024 Thana- BAJPATI District- Sitamarhi

... .. Petitioner/s

Versus

... .. Opposite Party/s

Appearance :

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For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2024 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 Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a woman.

4. Allegation is of recovery of 16.800 litres of liquor from a motorcycle, 21 litres of liquor from a place behind the house of Ashok Rai, 19.2 litres of liquor from a place behind the house of Dharmendra Kumar and 18 litres of liquor from the place near the house of the petitioner.

5. Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from her conscious possession and even the alleged recovery is from a place which does not belong to the petitioner and



is accessible to public at large. It is further submitted that petitioner came to be implicated based on the secret information which is the easiest way to implicated someone.

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

7. Considering the submissions made by the learned counsel for the petitioner, let 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 court below where the case is pending/successor court in connection with Bajpatti P.S. Case No. 166 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and 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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