

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65348 of 2024

Arising Out of PS. Case No.-293 Year-2024 Thana- BIDUPUR District- Vaishali

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Sarita Devi W/o Shiv Nath Paswan R/O- Vill.- Kutubpur, P.S.- Bhagwanpur,
Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aniket Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 10-09-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

The petitioner seeks bail in anticipation of her arrest
in a case registered for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act in connection with
Bidupur P.S. Case No.293 of 2024.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a women and
allegation is of recovery of 20 liters of liquor from two
motorcycles.

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 one of the seized 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 Raushan would misuse the vehicle in a manner as alleged who was also apprehended from the spot along with Manjeet.

The learned APP for the State opposes the anticipatory bail application.

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 Exclusive Special Excise Court No.I-cum- Additional District & Sessions Judge, Vaishali at Hajipur in connection with Bidupur P.S. Case No.293 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

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.

The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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