

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69005 of 2024

Arising Out of PS. Case No.-249 Year-2024 Thana- SISWAN District- Siwan

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Sheela Devi Wife of Munna Mahto @ Mangal Mahto Resident of Village-
Ramgarh, PS- Chainpur, Siswan, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kumari Anupam
For the Opposite Party/s : Mr. Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 225-09-2024
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 Bihar Prohibition
and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman and
allegation is of recovery of 14 litres of liquor from a sack allegedly
thrown by the petitioner. It is next submitted that petitioner was not
arrested from the spot as such nothing was recovered from his
conscious possession and even alleged recovery is from a place
which does not belong to the petitioner and she has no concern with
the sack in question and she came to be implicated at the instance of
chowkidar but then it is submitted that police in majority of the cases
implicates either at the instance of chowkidar, local person, secret



information or confessional statement without holding proper investigation in a mechanical manner, when petitioner admittedly is a person with clean antecedent.

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

5. 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 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 trial court where the case is pending/successor court in connection with Siswan (Chainpur) P.S. Case No.249/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents 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 to.

(Satyavrat Verma, J)

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