

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68909 of 2024

Arising Out of PS. Case No.-311 Year-2023 Thana- IMAMGANJ District- Gaya

Basanti Devi W/o Arun Bharti Resident of village - Kishnichak, Ps-
Imamganj, Distict- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Shivalika
		Mr.Yogesh Kumar, Advocates
For the Opposite Party/s :		Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-09-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Imamganj P.S. Case No. 311 of 2023 instituted under Sections 30(a) of Bihar Prohibition and Excise Act lodged on 30.11.2023 by the informant, Shashi Bhushan Singh.

3. As per the prosecution story, the informant alleged that upon secret information, the houses of Basanti Devi, Pinki Devi and Dinesh Bhuiyan were raided and there is/are recovery of 5 liters/10 litres/15 litres respectively of country made liquor. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that nothing has been recovered from the conscious possession and only due to enmity, has been named. Further submission is that



the lady has got no criminal antecedent.

5. Learned APP opposes the prayer.

6. Taking into account the submissions as also the fact that the petitioner is a lady and has got no criminal antecedent, this Court is inclined to extend her the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with aforesaid P.S. Case to the satisfaction of learned Exclusive Special Excise Court No.II, Gaya, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation



and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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