

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71028 of 2023**

Arising Out of PS. Case No.-129 Year-2013 Thana- JAHANABAD District- Jehanabad

DAULTI DEVI WIFE OF ASHOK CHAUDHARY R/O MOHALLA-  
PANCH MAHALA, P.S. AND DISTRICT- JEHANABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Paras Nath

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

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      05-02-2024                      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 offences punishable u/s 272, 273 of IPC and 47 (a) of Excise Act.

3. Allegedly, police has recovered 40 liters of country made liquor from the house of co-accused Sangita Chaudhary.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. She has no concern either with the seized liquor or any trade of liquor. She has been falsely implicated in this case at the instance of her enemy. He further submits that the alleged recovery has been made from



the house of Sangita Chaudhary but during the course of investigation, her name has been deleted and the name of the petitioner has been added on the instance of the local people. He further submits that the petitioner has been granted the benefit of Section 41(A) of the Cr.PC. Petitioner has no criminal antecedent.

5. Petitioner is agreed to deposit a sum of Rs.5000.00 (Rupees Five Thousand) in the account of Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below, where the case is pending/Successor court, in connection with Jehanabad P.S. Case No.129 of 2013, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, with the following conditions:

- (i) That one of the bailors will be a close relative of



the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of aforesaid amount in the Mahavir Cancer Sansthan.

**(Anjani Kumar Sharan, J)**

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