

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72595 of 2024**

Arising Out of PS. Case No.-4 Year-2024 Thana- Rasalpur District- Bhagalpur

Kajal Devi W/o Raj Kumar Bhagat Resident of Village- Amapur, Police  
Station- Ghogha, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dr. Manoj Kumar  
For the Opposite Party/s : Mr. Rajesh Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      04-10-2024                      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 Amendment Act, 2022.
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 4.5 litres of liquor from a motorcycle. It  
is next submitted that petitioner was not arrested from the spot as  
such nothing was recovered from his conscious possession and she  
came to be implicated based on the fact that she is owner of the  
seized motorcycle. It is next submitted that no prudent person would  
use her own vehicle for committing an occurrence and thus would  
create evidence against herself and hence would get implicated. It is  
also submitted that the petitioner was completely unaware that



Chhotelal would misuse the vehicle in the manner as alleged, who was also apprehended from the spot.

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 Rasalpur P.S. Case No.04/2024, 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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