

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84091 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- DOBHI District- Gaya

Pushpa Kumari D/o Dhananjay Puri, W/o Rajaram Kumar Resident of
village- Chhaitiyana Chhatiana, PS- Harnaut, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2024 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.

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 17.11 litres 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 he came to be implicated based on the fact that she is
owner of one of the seized vehicles. 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 next submitted that the petitioner was
completely unaware that her husband would misuse her vehicle in the



manner as alleged, who was also apprehended from the spot along with Rajiv Kumar.

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 Dobhi (Bahera O.P.) P.S. Case No.08/2024, 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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