

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20057 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- DEV District- Aurangabad

Balmati Devi Wife of Akshay Kumar Resident of village - Dhanjaiya,
Belsara, Bhawanipur, P.S.- Deo, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-04-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Deo P.S. Case No. 20 of 2025 for the offence registered under sections 30(a), 37 of the Bihar Prohibition and Excise Act, lodged on 09.02.2025 by the informant Viswajeet Kumar.

3. It is the case of the prosecution that upon knowledge of a motorcycle having met with an accident, the police reached there and found one Akshay Kumar in an inebriated state. The person who fled away was Sokhendra Bhuiyan and upon search, two polythene of 5 litres each (10 litre) country made *mahua* recovered/seized, which led to the FIR.

4. Learned Counsel for the petitioner submits that



Akshay Kumar is the husband of the lady, the motorcycle is in her name and as such, she stands implicated.

5. Learned APP for the State submits that the motorcycle belongs to the petitioner.

6. Considering the submissions of the parties and the fact that she is a lady having no criminal antecedent and only the motorcycle belongs to her, in that background, this Court is inclined to grant her the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-cum-Exclusive Special Judge, Excise Court No. 01, Aurangabad (Bihar) in connection with Deo P.S. Case No. 20 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show 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 her bail bond by the Trial court itself;

(iii) 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;

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

(Rajiv Roy, J)

Vijay Singh/-

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