

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23310 of 2025

Arising Out of PS. Case No.-473 Year-2024 Thana- MUFFASIL District- Aurangabad

Sangita Devi @ Sangita Kumari W/o Indal Rajak R/o Village- kariawan,
kapasya, PS- Muffasil, District- Aurangabad Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rupa Kumari, Advocate

For the State : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 01-05-2025 Heard Mrs. Rupa Kumari, learned counsel for the
petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Mufassil P.S. Case No. 473 of 2024 for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 11.12.2024 by the informant, Santosh Kumar Singh.

3. As per the prosecution story, the informant alleged that upon secret information, found two persons coming on a motorcycle. As they were intercepted, tried to escape but caught and they named themselves as Subodh Kumar Rajak and Bhola Chauhan, there is recovery/seizure of 20 liters country made liquor. This led to the F.I.R.

4. Learned counsel for the petitioner submits that she



is the owner of the vehicle and only because of that got implicated. The fact is that her husband had given the motorcycle to the co-villager, Subodh Kumar Rajak who was found at the spot with the mahua liquor.

5. Learned APP opposes the prayer for bail.

6. Taking into account the aforesaid facts as also that the petitioner is a lady, the motorcycle is in her name, nothing has been recovered from her conscious possession, has no criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned District & Additional Sessions Judge-cum-Exclusive Special Judge, Excise, Court No.1, Aurangabad, in connection with Mufassil P.S. Case No. 473 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative 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/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 bail bonds.

(Rajiv Roy, J)

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