

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24015 of 2025

Arising Out of PS. Case No.-77 Year-2024 Thana- TANDWA District- Aurangabad

Geeta Devi @ Geeta Kumari D/o Sikendra Ram R/o Village- Kusha, P.S.- Nararaikala Khurd, District- Aurangabad (Bihar). At Present Wife of Amit Ram, aged about 27 years, Son of Late Indradeo Ram, resident of Village Subhas Nagar, Dehri-on-sone, P.O.- Dalmianagar, P.S.- Dehri, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh
For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 30-04-2025 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in anticipation of her arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and allegation is of recovery of 20.34 litres of liquor from a motorcycle.
4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from her 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 a crime and thus, would create evidence against herself and hence, would get implicated. It is further submitted that petitioner was completely unaware that Kishore would misuse the vehicle in the manner as alleged as she was also apprehended at the spot.

5. Learned A.P.P. opposes the anticipatory bail application.

6. 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, is directed to be released on provisional anticipatory bail on her furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court No.2, Aurangabad in connection with Tandwa P. S. Case No.77 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify



the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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