

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27211 of 2025

Arising Out of PS. Case No.-252 Year-2024 Thana- KATORIYA District- Banka

Kanchan Devi W/O Ashok Yadav R/O Village- Biharo, P.O.-Bhodabazar, P.S.-
Chandan, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sauravh Singh, Adv.
Mr. Samir Kumar, Adv.
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-05-2025 Heard Mr. Samir Kumar, learned counsel for the
petitioner and the State.

2. The petitioner apprehends her arrest in connection
with Katoriya P.S. Case No. 252 of 2024 for the offence
registered under section 30(a) of Bihar Prohibition and Excise
Act, 2016 lodged on 21.10.2024 by the informant Upendra
Tiwary.

3. As per the prosecution story, on secret information,
the motorcycle was intercepted by the Police and there is
recovery/seizure of 43.125 litre foreign liquor from it. This led
to the FIR.

4. Learned Counsel for the petitioner submits that the
motorcycle was driven by Jawahar Yadav who is relative of the



petitioner, she being the owner of the vehicle, got implicated.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Considering the submissions of the parties as also that the petitioner is a lady, owner of the motorcycle and had no role to play in the said matter, 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 Special Judge Exclusive Excise Court-2, Banka in connection with Katoriya P.S. Case No. 252 of 2024 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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