

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33887 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- Sinha District- Bhojpur

Atwaro Devi @ Etwaro Devi W/o Late Rasmuni Bin R/o Village- Gaziapur
(Chhinegaw Tola), P.S.- Sinha, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan(App)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest in connection with Sinha P.S. Case No. 08 of 2025 for the offence registered under sections 30(a) of Bihar Prohibition and Excise Amendment Act lodged on 12.02.2025 by the informant, Mohan Kumar.

3. As per the prosecution story, the informant alleged that during patrolling, on information, the hut was raided and there is recovery/seizure of 30 liter country made liquor. The *Choukidar* gave the name of the petitioner. This led to the FIR.

4. Learned Counsel for the petitioner submits that she is a lady, implicated only because of criminal antecedent, the recovery/seizure is from an open place, not from her conscious



possession.

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

6. Considering the submissions of the parties as also the fact that the recovery/seizure is from an open place (hut) not from her conscious possession, she is a lady, 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 Exclusive Special Excise Court 1st Bhojpur, Ara in connection with Sinha P.S. Case No. 08 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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