

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33715 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- SITAMARHI District- Nawada

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Asha Devi wife of Pramod Rajbanshi VILLAGE- DHANGAWA,P.S.-
SITAMARHI, DISTRICT - NAWADA

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-05-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Sitmarhi P.S. Case No. 08 of 2025 instituted under Sections 30(a), 37(c) of the Bihar Prohibition and Excise Act of the Indian Penal Code lodged on 17.01.2025 by the informant, Binod Kumar Singh.

3. As per the prosecution story, the Police upon secret information, raided the place, though the lady managed to escape, the male, Jato Rajbanshi was arrested who gave the name of the petitioner. There is recovery/seizure of 41 liters of country made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that nothing has been recovered from her conscious possession and only because the name given by Jato Rajbanshi due to enmity,



she got implicated though she has no criminal antecedent.

5. Learned APP, Mr. Bharat Bhushan, opposes the prayer submitting that the arrested person gave her name.

6. Taking into account the submissions of the parties as also that the recovery/seizure is not from her conscious possession, she has no criminal antecedent, this Court is inclined to extend her privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of her arrest or surrender before the subordinate court 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 the like amount each in connection with Sitmarhi P.S. Case No. 08 of 2025 to the satisfaction of learned Exclusive Special Excise Court No.I, Nawada subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 her



bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make herself available to the police as and when required;

(iv) 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;

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

(Rajiv Roy, J)

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