

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34388 of 2025

Arising Out of PS. Case No.-476 Year-2024 Thana- PAHARPUR District- East Champaran

Kalawati Devi W/o- Jainarayan Mahto Village- Sareya Brit Dhangar Toli Ps-
Paharpur Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest in connection with Paharpur P.S. Case No. 476 of 2024 for the offence registered under sections 30(a), 30(c), 41(i), 52 of the Bihar Prohibition and Excise Act lodged on 23.10.2024 by the informant, Jitendra Kumar.

3. As per the prosecution story, the informant alleged that upon raiding the house of the petitioner, 11 liter country made liquor recovered/seized. This led to the FIR.

4. It is the case of the petitioner as narrated by learned counsel that she has no criminal antecedent, is a lady, recovery is from a joint property and not from her conscious possession.

5. Learned APP for the State, on the other hand,



opposes the prayer for anticipatory bail submitting that it has been recovered near the house of the petitioner.

6. Considering the aforesaid submissions as also that the petitioner is a lady having no criminal antecedent, 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, Excise Court No.-1, Motihari, East Champaran in connection with Paharpur P.S. Case No. 476 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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