

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85590 of 2024

Arising Out of PS. Case No.-33 Year-2020 Thana- SHIVSAGAR District- Rohtas

Paramjit Kaur W/o- Mukhtyar Singh Resident of Mohalla- Gurunanak Colony
Khaudalpur PS- Bilaspur District- Rampur Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 26-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Shivsagar P.S. Case No. 33 of 2020 registered for the offences punishable under Sections 30(a) and 41 of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the petitioner is a lady with clean antecedent and allegation is of recovery of 3827.52 liters of liquor from two trucks as detailed in the FIR.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. Nothing has been recovered from her conscious possession and she came to be implicated based on the fact that she is the owner of one of



the seized trucks but in reality she is not owner of the said vehicle at present as on 24.12.2019 she sold the said vehicle to one Gurmit Singh after receiving consideration money. The parties signed sale agreement which has been brought as Annexure P/2 to the bail application. It is next submitted that no prudent person would use his/her own vehicle for committing an occurrence. It is further submitted that petitioner was completely unaware that Gurmit Singh would misuse the vehicle in the manner as alleged. The petitioner is a lady and has clean antecedent. It is lastly submitted that co-accused Bhagavat Singh has been enlarged on anticipatory bail by a coordinate Bench of this Court vide order dated 16.04.2024 passed in Cr. Misc. no. 28683 of 2024.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering that the petitioner who happens to be a lady had already relinquished her ownership in favour of one Gurmit Singh way back on 24.12.2019 though no proper transfer of paper had taken place and that co-accused Bhagavat Singh who was the owner of the other seized truck having been granted bail, let the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period



of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Shivsagar P.S. Case No. 33 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear the learned Trial Court before accepting the 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 in that event, the present anticipatory bail order shall not be given effect to.

(Sourendra Pandey, J)

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