

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89992 of 2024

Arising Out of PS. Case No.-149 Year-2024 Thana- CHAND District- Kaimur (Bhabua)

Nilam Devi wife of Pramod Kumar Singh Resident of Village- Kumahu PS
-Shivsagar District -Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivanand Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Section 317(5) of the B.N.S., under Section 25(1-b)a, 26/35 of Arms Act and Section 30(a) of the Bihar Prohibition and Excise (amended) Act.

3. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 115.38 litres of foreign liquor and one loaded katta is said to have been recovered from the possession of co-accused, Shivam Kumar. He submits that the petitioner was not apprehended on the spot and her name



transpired in the case only on the basis confessional statement of apprehended co-accused. Similarly situated co-accused has been granted anticipatory bail by this Court vide order dated 23.10.2024 passed in Cr. Misc. No.71529 of 2024. The petitioner has no criminal antecedent as stated in para-3 of the bail application.

4. Petitioner is agreed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) in the account of Lawyer's Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

5. Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioner, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Chand P.S. Case No.149 of 2024, subject to the condition as laid down under Section 482 (2) of the B.N.S.S., subject to the



further conditions that:

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Lawyer's Association Welfare Benevolent Fund.

(Anjani Kumar Sharan, J)

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