

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42781 of 2017

Arising Out of PS. Case No.-34 Year-2017 Thana- RAMKRISHNANAGAR District- Patna

Kumari Punam @ Punam Devi, Wife of Dhanraj Ram, Resident of Dr. J.P. Complex, New Bus Stand Mithapur, Dhelwan Chowk, Bigrahpur, Police Station- Ram Krishna Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Tewary

For the Opposite Party/s : Sri Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 21-09-2017 Heard Sri Arvind Kumar Tewary, learned counsel for the petitioner and Sri Ajay Kumar Jha, learned Additional Public Prosecutor.

The sole petitioner, lady proprietor of one M/s Siddhi Enterprises which deals with the marketing of energy drink has approached this court with a prayer to extend the privilege of anticipatory bail in Ram Krishna Nagar P.S. Case No. 34 of 2017 registered for the offence under section 419 and 420 of the Indian Penal Code, 1860 and section 30(a) / 35(C) /32 of the Bihar Prohibition and Excise Act , 2016 (hereinafter referred to as the “Excise Act”) in the event of her arrest or surrender.



It was submitted by learned counsel for the petitioner that petitioner is authorized dealer and petitioner's firm is authorized for marketing of the said energy drink and on accusation of recovery of huge quantity of bottles containing such energy drink the petitioner has been made accused . According to learned counsel for the petitioner the said energy drink does not come under the definition of liquor but to the reasons best known to the authority concerned , petitioner has been made accused as if she has committed offence under the Excise Act . Learned counsel for the petitioner has also drawn my attention to the statement made in paragraph no. 3 of the petition to show that petitioner is having clean antecedent.

In view of the fact that petitioner is lady , nature of accusation as well as clean antecedent of the petitioner, in the event of her arrest or surrender within a period of six weeks from today, let the petitioner Kumari Punam @ Punam Devi be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna / concerned court in connection with



Ram Krishna Nagar P.S. Case No. 34 of 2017 subject to
the conditions as contemplated under Section 438 (2) of the
Code of Criminal Procedure , 1973 .

(Rakesh Kumar, J)

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