

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10486 of 2019

Arising Out of PS. Case No.-175 Year-2018 Thana- GORAUL District- Vaishali

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Sunita Devi, Wife of Hriday Rai Resident of village-Mathna Milk, P.S.-
Goraul (O.P. Katahara) , District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Amarendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 08-07-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Goraul P.S. Case no. 175 of 2018, registered under
Section 30(a), 32(i), 38(ii) and 41(i) of the Bihar Prohibition
and Excise Act.

The accusation is that in course of patrolling duty,
informant and other Police personnel reached at Chapra Chowk
then received secret information that Hriday Rai along with
Rakesh Kumar @ Domen and his son Sunil Kumar had carried
the liquor in huge quantity and conceal the same in Dalan of
Hriday Rai. Thereafter, informant and other Police personnel
reached at the Dalan of Hriday Rai then on seeing the Police



personnel, 3-4 persons started boarding on Scorpio vehicle, which was standing there. On chase, one person was apprehended while three persons succeeded to flee away boarding on the Scorpio vehicle bearing Reg. No. BR06PC-7926. The apprehended person disclosed his name as Ratnesh Kumar, who also disclosed the name of Hriday Rai, Sunil Kumar and Rakesh Kumar @ Doman, who succeeded to flee away. On search of the Dalan of Hriday Rai, a Bolero Pick Up van bearing Reg. No. BR06R-7996 was seen and on search, 115 cartons, each containing 48 bottles of 180 ML India made foreign liquor recovered.

Learned counsel for the petitioner submits that, in fact, Bolero Pick Up van bearing Reg. No. BR06R-7996 from which the alleged liquor was recovered was purchased by Hriday Rai, husband of the petitioner, in the name of petitioner and the same was plying by her husband and son, but petitioner being the owner of the said vehicle has falsely been implicated in this case by her husband and son. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-II-cum-special Judge, Hajipur Vaishali in connection with Goraul P.S. Case No. 175 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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