

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15900 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- BAHADURPUR District- Darbhanga

Munni Khatoon, W/O- Md. Abbas Resident of Village- Khaja Sarai, P.S.-
Laheriasarai, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 08-07-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Bahadurpur P.S. Case No.6 of 2019 for the offence punishable
under Sections 467, 468, 469 of the Indian Penal Code and
30(a), 30(2), 41 of Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the police
party arrived on the Housing Board Colony and they found a
mini truck bearing Registration No.UP13AT 5455 was standing
there and from which liquor was being unloaded and kept in
dilapidated house located in front of parking of the truck. Police
arrested a person, namely, Zakir from the spot and upon search
recovered altogether 962 litres of illegal liquor from the mini
truck as well as from dilapidated house. Upon inquiry, the



arrested person disclosed the name of the petitioner and the name of others.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated mainly on the basis of the fact that she is the mother of the person who was arrested by the police. Learned counsel for the petitioner further submits that no recovery of illegal liquor has been made from the possession of the petitioner. Learned counsel for the petitioner also submits that similarly situated, accused Md. Abbas, who is father of Mr. Zakir, has been granted bail by this Court on 19.06.2019.

After having heard learned counsel for the petitioner as well as learned counsel for the State and taking into consideration the fact that no recovery of illegal liquor has been made from the petitioner and from perusal of the First Information Report, no prima facie case is made out against the petitioner and further similarly situated, accused has been granted bail by this Court, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner is directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by the petitioner, he shall be



released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. 5th -cum- Special Judge, Excise Act, Darbhanga, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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