

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33602 of 2019

Arising Out of PS. Case No.-339 Year-2019 Thana- AGAMKUAN District- Patna

SHOBHA DEVI Wife of Ajit Kumar Resident of Mohalla Kumrare Chankya
Nagar, P.S.- Agamkuan District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar
For the Opposite Party/s : Mr.Syed Ehteshamuddin

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 07-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends her arrest in a case
registered under Section 30(a)(kh)/35/41 of the Bihar
Prohibition and Excise Act, 2016.

Around 129 litres of foreign liquor is said to have
been recovered from the I-10 car and the driver of the said car
managed to escape. The said car is hailing to the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. Petitioner
happens to be only owner of the vehicle in question from where
the aforesaid liquor was seized. Said car is plied by her



husband. She happens to be housewife and had no knowledge of transporting of the liquor in the said vehicle by her husband. There is nothing in the record indicating the complicity of the petitioner in the occurrence. Hence no offence under Excise Act is made out against the petitioner. She 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 six 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 learned Addl. Sessions Judge cum Special Judge, Excise, Patna in connection with Agamkuan P.S. Case No. 339 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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