

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76385 of 2019**

Arising Out of PS. Case No.-254 Year-2019 Thana- BIDUPUR District- Vaishali

Seema Devi, Wife of Arun Kumar Sah @ Arun Sah, Resident of Village-
Gohi, Police Station- Warish nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Shantanu Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 27-11-2019 Heard learned counsel for the petitioner and learned counsel
appearing on behalf of the State.

Petitioner apprehends her arrest in connection with Bidupur
P.S. Case No.254 of 2019, for the offence punishable under Sections
420, 414 of the Indian Penal Code and Section 30(a), 35, 41 of Bihar
Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the police
recovered a total quantity of 3429 litres of illicit foreign liquor from the
Mahindra Scorpio vehicle of the petitioner.

Learned counsel appearing for the petitioner submits that the
petitioner has got no criminal antecedent and has falsely been
implicated in this case. Learned counsel further submits that huge
quantity of illicit liquor was recovered by the police having total
quantity of 3429 litres from the container and various vehicles
including the vehicle of the petitioner in which only 90 litres of illicit
litres had allegedly been found. Learned counsel further submits that



the petitioner has been made accused on the basis of the fact that she happens to be the owner of the said Mahindra Scorpio. Learned counsel referring to para 8 of the application submits that the said vehicle was driven by the driver and the petitioner had not authorized him to indulge in such kind of illegal activity.

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner has got no criminal antecedent and justification given by the petitioner that the vehicle was being driven by the driver, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by her, she 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 Addl. Session Judge-IIInd-cum-Special Judge, Excise Act, Vaishali at Hajipur, in connection with Bidupur P.S. Case No.254 of 2019, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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