

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23038 of 2020

Arising Out of PS. Case No.-27 Year-2019 Thana- RUDRAPUR District- Madhubani

RINKU KUMARI Daughter of Baidnath Thakur Resident of Village -
Andharathadhi, Tole Madhuban, P.S.- Andharathadhi, District - Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit

For the Opposite Party/s : Mr.Aditya Narayan Singh No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-09-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor appearing for the State, through

video conferencing.

The petitioner apprehends her arrest in connection
with Rudrapur Police Station Case No. 27 of 2019, registered
for the offences punishable under Sections 272/273 of the Indian
Penal Code and Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that the police
intercepted two persons, going on motorcycles and one of the
persons fled away after leaving the red-coloured Apache
motorcycle and one person was caught along with one black-
coloured Hero Honda motorcycle and upon search, the police
recovered 500 ML. of illicit liquor from the Apache motorcycle,



which was left at the spot by the accused person.

Learned Counsel for the petitioner submits that the petitioner is not named in the First Information Report and the petitioner has been made accused subsequently on the basis of the fact that the petitioner is the registered owner of the motorcycle, which was left at the spot by the accused persons. He further submits that the motorcycle in question was given in gift by the father of the petitioner in the marriage and the petitioner has got no criminal antecedent. He further submits that from perusal of the First Information Report, it would be evident that some other person was going on the motorcycle and not the petitioner.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner was not present at the place of occurrence and she has been made accused merely on the basis of the fact that she was the registered owner of the motorcycle in question and the petitioner is a lady, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Accordingly, let the petitioner, above named, in the event of her arrest or surrender before the Court below within a



period of six weeks from today, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Madhubani, in connection with Rudrapur Police Station Case No. 27 of 2019.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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