

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12261 of 2021

Arising Out of PS. Case No.-392 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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CHANDNI DEVI W/o Sanjeet Chaudhary Resident of Village - Sahebpur
Kamal, P.S.- Sahebpur Kamal, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-12-2021 Heard the learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in anticipation of her
arrest in connection with Muffasil P.S. Case No. 392 of 2018
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

A total of approximately 1038 litres of liquor has
been recovered from a four wheeler and a motorcycle. One
Bablu Sah is said to have been arrested at the time of raid.



From the motorcycle, which stands in the name of the petitioner, 17 litres of liquor has been recovered.

The learned counsel for the petitioner has submitted that the vehicle was given to Bablu, who is the nephew of the petitioner, about three days ago. The nephew had been reckless in using the aforesaid motorcycle. But for the fact that the petitioner is the owner of the motorcycle, there is no material to indicate that she was either aware of the motorcycle being used for transporting liquor or that Bablu had been indulging in the sale of liquor.

The petitioner has clean antecedents.

On these grounds, it has been urged that the offence under the Excise Act cannot be said to have been made out against the petitioner.

For the reasons afore-stated, the petitioner, above named, is directed to be released on bail, in the event of her arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned Special Judge, Excise Act,
Begusarai, in connection with Muffasil P.S. Case No. 392 of
2018, subject to the condition laid down under Section 438
(2) of the Code of Criminal Procedure

(Ashutosh Kumar, J)

sunilkumar/-

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