

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1091 of 2021**

Arising Out of PS. Case No.-413 Year-2020 Thana- BARACHATTI District- Gaya

KIRAN DEVI W/O MAHENDRA NATH SINGH RESIDENT OF C 4,
VIKAS VATIKA PHAGE 3, GANDHAJOR CHAS, P.S.-CHAS, DISTRICT-
BOKARO (JHARKHAND).

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Opposite Party/s : Mr. Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 27-08-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 02.01.2021, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner apprehends her arrest in connection with Barachati P.S. Case no. 413 of 2020, registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The accusation is that in course of patrolling duty, one Scorpio vehicle bearing registration No. JH-09L-5722 was seen. On seeing the Police party while driver of the vehicle tried to accelerate the speed of the vehicle, but the vehicle was



intercepted. The person who was sitting on the driving seat disclosed his name Birendra Kumar and the person who was on rear seat disclosed his name Santosh Kumar. On search of vehicle, 132 bottles, each containing 375 ML and 24 bottles, each containing 375 ML Indian Made Foreign Liquor recovered. The apprehended persons did not give any satisfactory reply about keeping of liquor.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. In course of investigation, it came to light that petitioner is the owner of the seized vehicle. Further submission is that, in fact, on the date of occurrence the driver of the vehicle had gone to see off the relative of the petitioner, but, behind the petitioner, he boarded one other person in course of returning and he also loaded the alleged liquor. The petitioner had no knowledge about carrying of liquor. Further submission is that petitioner is a lady, aged about 58 years, and 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 his arrest or surrender before the learned Court below within a period of four 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 learned Special Judge, Excise Court, Gaya in connection with Barachati P.S. Case No. 413 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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