

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62342 of 2021**

Arising Out of PS. Case No.-317 Year-2021 Thana- BIDUPUR District- Vaishali

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VINITA DEVI D/o Shiv Nath Singh R/o village- Yaduvanshi Nagar Sonaru,  
P.S.- Fatuha, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rabindra Prasad Singh  
For the Opposite Party/s : Mrs.Shaheen Begum, APP

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      14-12-2021                      Heard learned counsel for the petitioner and learned  
APP for the State.

Learned counsel for the petitioner is directed to remove  
the defects, as pointed out by the Office, within a period of eight  
weeks.

The petitioner is apprehending her arrest in a case  
registered under Section 30(a) of the Bihar Prohibition and Excise  
Act, 2016.

The prosecution case, in short, is that 1830.6 liters wine is  
recovered.

It has been submitted on behalf of the petitioner that the  
petitioner has got no criminal antecedent. There is no allegation of  
tampering of witnesses alleged against the petitioner. The name of  
the petitioner has transpired as being owner of the pick-up van in  
question from which recovery is made. Except for this, there is no



other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 1830.6 liters wine is recovered from the pick up van. The said van is run as public carrier. The petitioner had no knowledge regarding the nature of goods booked by the transporter. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -2<sup>nd</sup> -cum- Excise Court, Vaishali at Hazipur in connection with Bidupur P.S. Case No. 317 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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