

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10015 of 2022

Arising Out of PS. Case No.-9 Year-2020 Thana- AMAS District- Gaya

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Sushma Devi W/O Kishun Lal Mehta R/O Village- Langrapipar Near
Bajrangbali Mandir, P.S.- Domchach, District- Kodarma (Jharkhand)

... .. 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.Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-09-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending her arrest in a

case registered for the offences punishable under Section

30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 225 litres of country made

liquor from a Scorpio vehicle. The driver of the vehicle

and one other person namely Sunil Pandit and Pramod

Kumar were apprehended. The petitioner is owner of the

alleged seized vehicle.

It is submitted by learned counsel for the

petitioner that petitioner was not apprehended from the



spot. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has come only because she is the owner of the said vehicle. A supplementary affidavit has been filed to the effect that the vehicle in question has been sold by the petitioner to one Bijay Kumar Gupta on 28.08.2018. A true copy of the sale deed has been annexed as Annexure-2 of the supplementary affidavit. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

The petitioner is directed to deposit a sum of Rs. 25,000/-(Rupees Twenty Five Thousands) in the District Legal Services Authority, Gaya.

In the facts and circumstance of the case, let the petitioner, above named, in the event of her arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge-cum-Special Judge, Excise, Gaya in connection with Amas P.S. Case No. 09 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 25,000/-(Rupees Twenty Five Thousands) in District Legal Services Authority, Gaya.

(Sunil Kumar Panwar, J)

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