

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34222 of 2021**

Arising Out of PS. Case No.-54 Year-2021 Thana- MOTIPUR District- Muzaffarpur

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RUPA TIWARY @ RUPA TIWARI W/O BHOLA TIWARY @ KANHAI
TIWARY R/O VILLAGE-SANDHA SINGHAILA, P.S.-MOTIPUR,
DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-01-2022 Heard Mr. Sunil Kumar Pandey, learned counsel for

the petitioner and Mr. Ram Anurag Singh, learned Additional

Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Motipur P.S. Case No. 54 of 2021 registered for the offences
punishable under Sections 30(a) and 41(1)(2) of the Bihar
Prohibition and Excise Act, 2016.

The allegation as per the First Information Report is
that a total quantity of 8.640 litres of illicit liquor has allegedly
been recovered from a wagon-R car standing near the house of
the petitioner and 81.840 litres of illicit liquor has been
recovered from behind the house of Bhola Tiwary i.e. the
husband of the petitioner.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case along with her husband and she is not involved in the trade and business of the liquor. Learned counsel further submits that the illicit liquor has not been recovered from conscious possession of the petitioner and the same has been recovered from behind the house of the husband of the petitioner and from a Wagon-R car standing in front of the house of the petitioner. Learned counsel next submits that the petitioner has no concern with the alleged vehicle from where the illicit liquor has been recovered. The petitioner is a lady having no criminal antecedent and she is in custody since 21.3.2021.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that the petitioner has got no criminal antecedent, she is in custody since 21.3.2021, no illicit liquor has been recovered from the conscious possession of the petitioner and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of learned Special Judge Excise, Muzaffarpur, in connection with Motipur P.S. Case No. 54 of 2021.

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)

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