

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31150 of 2022

Arising Out of PS. Case No.-186 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

Prabhati Sarkar wife of Suresh Sarkar R/O Village- Jamuribhita, P.S. New
Jalpaiguri, District- Jalpaiguri (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha
For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under Section

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

There is recovery of 900 litres of Indian made

Foreign Liquor from a pick-up van and the driver of the

vehicle was arrested. The petitioner is owner of the

alleged pick-up van. country made liquor from the maize

field of the petitioner.

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. The petitioner is a lady and she has given the vehicle to the driver for her livelihood and she has no concern in any manner from the alleged recovered illicit liquor. 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. 10,000/-(Rupees Ten Thousands) in the District Legal Services Authority, Purnea.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his 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 Exclusive Special Excise Judge,



Court No. 2, Purnea in connection with C-1 Case No. 186 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. 10,000/-(Rupees Ten Thousands) in District Legal Services Authority, Purnea.

(Sunil Kumar Panwar, J)

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