

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29885 of 2022

Arising Out of PS. Case No.-224 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

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KABUTARI PANDIT W/o Bablu Pandit R/o Village- Kariya Tola, P.s.-
Khaira, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Adv.
For the Opposite Party/s : Mr.H.A. Khan, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-09-2022 Heard learned counsel for the petitioner and learned APP
for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects within
undertaken period, office will place the matter before the Bench.

Petitioner apprehends her arrest in connection with a case
registered for the offence punishable u/s 30(a) of the Bihar
Prohibition and Excise Amendment Act, 2018.

Altogether 10 litres of country made liquor is said to have
been recovered from a motorcycle bearing No.BR46F6674,
which belongs to the petitioner.

Learned counsel for the petitioner submits that petitioner



is quite innocent and has not committed any offence as alleged in the FIR. She has been falsely implicated in this case due to ulterior motive. Her name transpired in the case on the basis that he is owner of the said motorcycle but the real fact is that the same is used by her husband, who was apprehended on the spot. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from her conscious physical possession. Petitioner has no concern either with the seized liquor or any trade of liquor. Petitioner has no criminal antecedent, as also mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.10,000.00/- (Rupees Ten Thousand) in the Juvenile Justice Fund, Bihar bearing Account No.35094613009, IFSC SBIN0000153, State Bank of India, Patna Secretariat Sinchai Bhawan Branch, Patna.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of her arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Case No.224C2/2021, subject to the condition



as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions:

(1) One of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with petitioner. He will also undertake to inform the Court if there is any change in the address of petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

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 Thousand) in Juvenile Justice Fund.

(Anjani Kumar Sharan, J)

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