

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38584 of 2022

Arising Out of PS. Case No.-25 Year-2020 Thana- PURNEA SADAR District- Purnia

BABY KUMARI @ BOBBY KUMARI Daughter of Rajendra Mandal
Resident of village - Udaynagar, Rangakol, P.O. Gopalpatti, P.S.- Falka, Distt.
- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends her arrest in a case registered
for the offences punishable under Sections 272 and 273 of the
Indian Penal Code and Section 30 (a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 43.920 liters from a Tata Tiago car and 17.640 liters of
liquor from an unnumbered Hyundai I-20 car.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing was
recovered from his conscious possession, it is submitted that
petitioner came to be implicated as she is owner of the alleged
vehicle. Learned counsel next submits that police in mechanical
manner proceeds and implicates, it is further submitted that the



driver of the vehicle was arrested and as such, the petitioner was completely unaware that the driver of the vehicle would misuse the vehicle for such illegal purpose as no prudent person would indulge in any illegal activity by using his or her own vehicle and thus creates evidence herself.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Purnea Sadar P.S. Case No. 25 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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