

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46584 of 2022

Arising Out of PS. Case No.-161 Year-2021 Thana- LAKHISARAI District- Lakhisarai

Ruma Kumari Daughter Of Bachchu Bind, Wife Of Vikash Kumar Resident
Of Village- Karunamachak, P.S.- Halsi, District- Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending her arrest in connection with Lakhisarai (Kabaiya) P.S. Case no. 161 of 2021 instituted for the offence under Sections 30(a), 32(iii) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 3 liters of illegal country made liquor from a plastic bag which was tied upon the seat of motorcycle bearing Reg. No. BR-53D-4336.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. It is further submitted vide para 8 of the petition that petitioner is a bonafide owner of the said vehicle in question



from where the country made liquor has been recovered. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery of illicit liquor. It is further submitted that neither the petitioner was arrested on spot nor any incriminating article has been recovered from her conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the fact that the recovery of liquor is meagre in quantity, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Lakhisarai (Kabaiya) P.S. Case no. 161 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-4th-cum-Special Excise Court-I, Lakhisarai subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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