

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46768 of 2022**

Arising Out of PS. Case No.-86 Year-2021 Thana- MINAPUR District- Muzaffarpur

ASHA DEVI @ ASHA KUMARI WIFE OF RAJ KUMAR R/O MOHALLA-
B-264, T- HUTS MEERA BAGH, P.S.- PASHIMVIHAR (WEST DELHI)
DELHI -110063

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar

For the Opposite Party/s : Mr.Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 21-10-2022 Heard learned counsel for the parties through video conferencing.

The petitioner apprehends her arrest in a case registered for the offence under Sections 272, 273, 420, 468, 471/34 of the I.P.C. and Sections 30, 30(a), 41(i) of the Bihar Prohibition & Excise Act.

675 liters of illicit foreign liquor has been recovered from a blue bus of Force company, of which, this petitioner is registered owner.

It is submitted on behalf of petitioner that alleged vehicle has already been sold by this petitioner to one Rakesh Kumar of New Delhi on 14.01.2021 i.e. much prior to the alleged incident. In support of his submission, he has enclosed



an affidavit, issued from the Notary Public (Annexure- 2). It is further submitted that neither petitioner has got any concern with the alleged recovery nor anything has been recovered from her possession. Petitioner claims clean antecedent.

However, learned A.P.P. for the State vehemently opposed the prayer for bail and submitted that petitioner has not brought on record Transfer Certificate of said bus, issued by the District Transport Officer, and merely on the basis of copy of affidavit of Notary Public, the plea of the petitioner cannot be accepted. Fact remains that petitioner is registered owner of the vehicle in question, from which, huge quantity of illicit liquor has been recovered.

Considering the same, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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