

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49245 of 2022

Arising Out of PS. Case No.-254 Year-2021 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Aarti Kumari D/O Shivnath Choudhary R/O Mohalla- Muradpur Dullah,
Bikhanpur, P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-11-2022 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 University P.S. Case no. 254 of 2021 instituted for the
offence under Section 30(a) of the Bihar Prohibition of Excise
Act.

Prosecution case relates to recovery of total 135 liters
illicit India made foreign liquor from a Mahindra XUV-Vehicle
bearing Registration No. BR02Y/9000.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. She has falsely been implicated in this case. She has got



no criminal antecedent. Petitioner is the registered owner of the said vehicle but she has no concern with the alleged recovery of liquor. It is further submitted that neither the petitioner was arrested on spot nor any incriminating article has been recovered from her physical or conscious possession.

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

The petitioner is directed to deposit a sum of Rs 10,000/- (Ten Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, 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 her arrest or surrender in connection with University P.S. Case no. 254 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 Special Judge Excise-II, Darbhanga subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by



the learned court below on showing the receipt of deposit of Rs.
10,000/- (Rs. Ten thousand) by the petitioner in the account of
the concerned DLSA.

(Sunil Kumar Panwar, J)

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