

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60498 of 2022

Arising Out of PS. Case No.-48 Year-2022 Thana- ARER District- Madhubani

SABITA DEVI Wife of Raju Mukhiya R/O Village - Kusmaul, P.S.- Arer,
District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-11-2022 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 Arer P.S. Case no. 48 of 2022 instituted for the offence under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 04 liters country made liquor from the newly constructed house of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. She has falsely been made accused in this present case. Petitioner has no concern with the alleged recovery of illicit



country made liquor. It is further submitted that petitioner is a lady and neither she was arrested nor 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 and submitted that petitioner has got one criminal antecedent.

Having heard learned counsel for the parties and considering the fact that recovery of illicit 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 her arrest or surrender in connection with Arer P.S. Case no. 48 of 2022, she 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 Sessions Judge-II-cum Special Judge (Excise Act), Madhubani subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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