

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72318 of 2021**

Arising Out of PS. Case No.-53 Year-2017 Thana- KHANPURA District- Samastipur

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RUKMINI DEVI W/O RAMESH MAHTO RESIDENT OF VILLAGE-  
SALKHANNI, P.S- BIBHUTIPUR, DIST- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====  
**Appearance :**

For the Petitioner/s : Mr. Mirityunjay Kumar, Advocate

For the Opposite Party/s : Mr. H.A. Khan, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      01-07-2022      Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks. In the eventuality of non-removal of defects within the stipulated period, office will place the matter before the Bench.

Petitioner apprehends her arrest in connection with a case registered for the offence punishable u/s 279, 427 of the IPC and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Altogether 98.250 liters of foreign liquor is said to have been recovered from a pick up van.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. Petitioner has been falsely implicated in this case due to ulterior reason. Petitioner has neither been apprehended



on the spot nor any incriminating article has been recovered from her conscious physical possession. She has no concern either with the seized liquor or any trade of liquor. Petitioner is not the owner of the said pick up vehicle but during the course of investigation, it has come that the petitioner has purchased the said vehicle by an agreement. The real owner of the vehicle has filed a writ application in this Court for release of the said vehicle (Annexure-2). Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs.10,000.00/- (Rupees Ten Thousand) in the Patna High Court Legal Services Committee, Patna bearing Account No.1413010060836, IFSC PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of her arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Khanpur P.S. Case No.53 of 2017, subject to



the condition as laid down under Section 438 (2) of the Cr.P.C,  
as also the following conditions.

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.10,000.00/- (Rupees Ten Thousand) in the Patna High Court Legal Services Committee.

**(Anjani Kumar Sharan, J)**

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