

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2061 of 2023

Arising Out of PS. Case No.-315 Year-2022 Thana- KHAGARIA District- Khagaria

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KUMKUM DEVI W/o Vikash Kumar Sharma @ Bikash Kumar Sharma R/o
Village- Dhushmuri, Bishanpur, P.S.- Muffasil, Distt- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-01-2023 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends her arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

5139 litres of foreign liquor has been recovered from
different vehicles. It is alleged that petitioner is the owner of one
of the vehicle from which 1098 litres of foreign liquor has been
recovered.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got no
criminal antecedent as stated in paragraph-3 of the bail
application. It is further submitted that there is no recovery from



the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 1,00,000/- (rupees one lakh) in the P.M. Cares Fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID: pmcares@sbi.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of her arrest or surrender before the learned court below within a period of twelve weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Khagaria in connection with Khagaria (Muffasil) P.S. Case No.315 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be her own blood relative, preferably, father, mother, brother, sister and/or her husband.

(ii) The petitioner shall not indulge herself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by



the learned court below on showing receipt of deposit of the
aforesaid amount in the PM Cares Fund.

(Anjani Kumar Sharan, J)

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