

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3560 of 2023

Arising Out of PS. Case No.-501 Year-2022 Thana- KOILWAR District- Bhojpur

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SUBHORANTI DEVI WIFE OF RAJ KUMAR RAI R/O VILLAGE-
KOILWAR, P.S.- KOILWAR, DISTRICT- BHOJPUR (ARA)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Upendra Kumar, Adv.

For the Opposite Party/s : Mr.Madhura Nand Jha, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends her arrest in a case registered
for the offences punishable under Section 30 (a) of the Bihar
Prohibition and Excise Amendment Act, 2018.

Altogether, 60 litres illicit liquor has been recovered
from the motor cycle which belongs to the petitioner.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
incriminating article has been recovered from the conscious
physical possession of the petitioner. Petitioner has no concern
either with the seized liquor or the place of recovery or any
trade of liquor. The allegation levelled against the petitioner is
not specific rather general and omnibus in nature. Petitioner



has been falsely implicated in this case due to ulterior motive. She has been made accused in this case because she is the owner of the seized motorcycle. It is further submitted that petitioner had gone to her Naihar and when she returned to her house, she came to know that her motorcycle has been seized by the police with 60 litres of country made wine. She was not apprehended on the spot. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Court below where the case is pending/successor Court in connection with Kilwar P.S. Case No. 501 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the



further conditions that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself 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 Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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