

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18162 of 2023**

Arising Out of PS. Case No.-294 Year-2021 Thana- NAUTAN District- Siwan

SHIV JYOTI KUMARI THAKUR @ SHIVJYOTI DEVI Daughter of
Dhanshyam Thakur Resident of Village - Shahpur Mishrauli, P.S.- Nautan,
District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 10-05-2023 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner is a woman and is a person with clean antecedent.

Allegation is of recovery of 21.800 litres of liquor
from a bag kept on a motorcycle.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from her conscious possession. It is further submitted
that petitioner came to be implicated based on the fact that the
alleged vehicle was registered in her name. It is next submitted



that no prudent person would use her own vehicle for committing a crime and thus would get implicated easily. It is also submitted that petitioner had handed over the motorcycle to a male friend and, as such, was not aware that the vehicle would be misused in the manner as alleged when petitioner is a person with clean antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or 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.1,000/- (Rupees One 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 Nautan P.S. Case No. 294 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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