

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18156 of 2023**

Arising Out of PS. Case No.-385 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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BABITA DEVI WIFE OF SANOJ MAHTO RESIDENT OF VILLAGE -
UKHAI PURAB PATTI, P.S. - SARAI O.P., DISTT. - SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Nityanand, A.P.P.

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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 person with clean antecedent.

Allegation is of recovery of five litres of liquor from 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 motorcycle belongs to her. It is next submitted that no prudent



person would use his vehicle for committing a crime and thus would get implicated easily. It is also submitted that the petitioner had given her motorcycle to one Sanoj Mahto and thus was not aware that the vehicle would be misused in the manner alleged and Sanoj Mahto even got arrested at the spot.

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 Siwan Excise P.S. Case No. 385 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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