

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22759 of 2023

Arising Out of PS. Case No.-578 Year-2022 Thana- KANTI District- Muzaffarpur

Rabina Kumari Wife Of Rohit Raj R/O Village- Rajepur, P.S.- Sahebganj,
District- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Ms.Asha Devi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of her arrest
in a case registered for the offences punishable under Sections
30(a), 32(i)(ii), 36, 41(i) of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 250.560 litre of liquor from an Alto Car.

The 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 next submitted
that petitioner, being the owner of the car, came to be implicated
based on statement made by the co-accused Abhishek Kumar. 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 further submitted that petitioner had lent the car to Abhishek Kumar and thus, was not aware that the vehicle would be misused in the manner alleged.

Learned A.P.P. opposes the bail application.

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, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise, Court No.II, Muzaffarpur in connection with Kanti P. S. Case No.578 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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