

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27588 of 2023

Arising Out of PS. Case No.-267 Year-2022 Thana- MALSALAMI District- Patna

REKHA DEVI Wife of Vijay Ray Resident of village - Chechar, P.S. -
Bidupur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 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 offences punishable under Sections 30(a) and 36 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a woman person and a person with clean antecedent and allegation is of recovery of 120 liters of liquor from four motorcycles.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from her conscious possession, it is next submitted that even from the FIR it does not even remotely gets reflected that any women was present at the place of occurrence



or had fled, it is further submitted that petitioner is owner of one of the motorcycle as such, she came to be implicated when admittedly she was not present at the place of occurrence. It is next submitted that friend of her husband had taken her motorcycle and as such, she was completely unaware that the vehicle would be misused in such manner as alleged.

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 trial court 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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Malsalami P.S. Case No. 267 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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