

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27466 of 2023

Arising Out of PS. Case No.-270 Year-2022 Thana- BASOPATTI District- Madhubani

NEELAM DEVI @ NILAM KUMARI Wife of Kuldeep Paswan R/V-
Bostpur, PS- Khajauli, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

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

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 272 and 273 of the Indian Penal Code and 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 and is a woman.

Allegation is of recovery of 33 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 is owner of the motorcycle and she came to be implicated. It is next submitted that no prudent person would



use his own vehicle for committing a crime and thus would get implicated easily. It is also submitted that from perusal of the FIR, it would manifest that the same does not even remotely suggest about presence of any woman at the place of occurrence or a woman fled from the place of occurrence. It is further submitted that since the vehicle is registered in the name of the petitioner, as such, she came to be implicated.

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 G.R. No. 2516/22 arising out of Basopatti P.S. Case No. 270 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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