

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31096 of 2023

Arising Out of PS. Case No.-161 Year-2021 Thana- KHAJAULI District- Madhubani

SHILA KUMARI wife of Ramu Yadav Village- Selra PS - Jaynagar, Dist-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate
For the Opposite Party/s : Ms. Gulnar Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-05-2023 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 (Amendment) Act, 2018.

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

Allegation is of recovery of 74.400 litres of liquor.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from her conscious possession and she came to be implicated being owner of the motorcycle. It is further submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence



against himself and hence get implicated. It is next submitted that the petitioner was completely unaware that Bhushan Yadav was misused the vehicle in the manner as alleged in the FIR as he was arrested when the seizure was prepared.

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 Khajauli P.S. Case No. 161 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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