

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40308 of 2023**

Arising Out of PS. Case No.-281 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.  
District- Banka

SANDHYA CHAKRABORTY WIFE OF SUBHASISH CHAKRABORTY  
Resident of 12/7, Ashoke Avenue Durgapur, P.S. - Durgapur, Distt. -  
Bardhaman (West Bengal)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate  
For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      03-07-2023                      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 37 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 three litres of liquor from an Etios Car.

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 in a mechanical manner being the owner of the seized vehicle. It is next submitted that



no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against herself and hence would get implicated. It is also submitted that petitioner was completely unaware that Pradeep Goswami would misuse the vehicle in the 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 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 Excise Complaint Case No. 281 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Kundan/-

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