

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47018 of 2023

Arising Out of PS. Case No.-489 Year-2022 Thana- RAHUI District- Nalanda

Salma Bano, aged about 43 years, Female Wife of Riyaj Hussain, resident of Village- Bhandaridih, Azad Nagar, P.S.- Giridih Nagar District- Giridih, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 31-08-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Rahui P.S. Case No. 489 of 2022 instituted for the offence punishable under Sections 420, 467, 468, 471, 120 (B) of the Indian Penal Code and Sections 30(a), 32(ii) (iii), 36, 41 (i) (ii) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 661.68 litres of foreign liquor and mobile sim card were recovered.

4. Learned counsel for the petitioner submits that sim of the mobile was purchased in the name of petitioner. However, the same was used by her son. Learned counsel for the petitioner further submits that petitioner is neither involved in the



occurrence nor she was present at the place of occurrence, no case is made out against her. Petitioner is a lady having no criminal antecedent.

5. Learned A.P.P. for the State opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner above named be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned IV Additional District and Sessions Judge-cum-Special Judge Excise IInd Nalanda at Biharsharif in connection with Rahui P.S. Case No. 489 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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