

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49932 of 2023**

Arising Out of PS. Case No.-38 Year-2023 Thana- BIRPUR District- Supaul

ASAMA MEHAR BANO WIFE OF MAHBOOB ALAM RESIDENT OF  
VILLAGE - MOHANPUR - KATHARA, P.S. - CHHATAPUR, DISTRICT -  
SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

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

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

2      03-08-2023                      1. Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case  
registered for the offence punishable under Section 30(a) of the  
Bihar Prohibition and Excise Act, 2016.

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

4. Allegation is of recovery of 3.75 litres of liquor  
from a car.

5. 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 based on the fact that she is owner of the seized  
vehicle. It is further 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 next submitted that petitioner was completely unaware that her husband would misuse the vehicle in the manner as alleged who was also apprehended from the spot.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 Birpur P.S. Case No. 38 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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