

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52484 of 2023

Arising Out of PS. Case No.-175 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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Puspanjali Kumari Daughter Of Shankar Mahto Resident Of Village-
Lohradih, Ps- Tilauthu, Distt- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-08-2023 Heard Mr. Babu Nandan Prasad, learned counsel

appearing on behalf of the petitioner and Mr. Shyameshwar

Dayal, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Excise Case No. 346 of 2023 arising out of Excise P.S.
F.I.R. No. 175 of 2023 registered under Sections 30(a) and 37 of
Bihar Prohibition and Excise Act, 2016.

3. As per the allegation made in the F.I.R., altogether
60 litres of country made liquor packed in pouches recovered
from the motorcycle bearing Registration No. BR24Y-4891
which belongs to the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner has no concern with the
alleged recovered liquor, being the owner of the alleged



motorcycle she has been implicated in the present case. Learned counsel further submits that petitioner has clean antecedent.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of allegation made against the petitioner as well as the total quantity of liquor which has been recovered is only 60 litres, I am of the opinion that petitioner has made out a, *prima facie*, case to be released on anticipatory bail.

7. Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Exclusive Special Excise Court No. 1, Rohtas, Sasaram in connection with Excise Case No. 346 of 2023 arising out of Excise P.S. F.I.R. No. 175 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in



paragraph No.3 of the bail application, this order will
automatically loose its force.

(Purnendu Singh, J)

Manish/-
Minu/-

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