

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54606 of 2023

Arising Out of PS. Case No.-138 Year-2023 Thana- AMBA District- Aurangabad

MANORMA KUMARI W/o SRI YADUNANDAN SINGH Resident of
village - Parsa, p.s. - Obra, Distt. - Aurangabad (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Adv.

For the Opposite Party/s : Mrs.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 14-09-2023 Heard learned counsel for the parties.
2. Learned counsel for the petitioner filed a supplementary affidavit in the present case. Let it be kept on record.
3. By way of filing supplementary affidavit, it is submitted on behalf of the petitioner that in the cause-title, it has been inadvertently wrongly mentioned that the petitioner Manorma Kumari, is wife of Sri Yadunandan Singh. It ought to have been Manorma Kumari, daughter of Sri Yadunandan Singh.
4. Considering the same, let the name of petitioner be hereby read as Manorma Kumar, D/o Sri Yadunandan Singh.
5. Petitioner apprehends her arrest in connection with a case registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Amendment Act-2018.
6. Altogether 12.315 litres of foreign liquor is said to have been recovered from the motorcycle of the petitioner and one



person was apprehended on the spot.

7. Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. Petitioner has been falsely implicated in this case. Her name transpired in this case on the basis that the said motorcycle is in her name but the real fact is that she is an unmarried girl and handed over the bike to one Mithilesh Kumar, who misused the same and was apprehended on spot. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from her conscious physical possession. She has no concern either with the seized liquor or any trade of liquor. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

8. Petitioner is agreed to deposit a sum of Rs.5,000.00/- (Rupees Five Thousand) in the Patna High Court Legal Services Committee, Patna bearing Account No.1413010060836, IFSC PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

9. Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/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.25,000/- (Rupees Twenty Five 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 Amba P.S. Case No.138 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions.

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

10. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.5,000.00/- (Rupees Five Thousand) in the Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

