

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64052 of 2023

Arising Out of PS. Case No.-411 Year-2023 Thana- AURANGABAD TOWN District-
Aurangabad

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KUSUM DEVI WIFE OF BINOD SINGH RESIDENT OF VILLAGE-
SHAHPUR ROAD, YAMUNA NAGAR, PS- AURANGABAD TOWN,
DIST- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-10-2023 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Aurangabad (Town) PS case no. 411 of 2023,
disclosing offences punishable under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2018.
3. The prosecution case, as per the First Information
Report, is that on 17.06.2023 in the evening, on the basis of
confidential information, police arrived at the house of the
petitioner and recovered 5.040 liters of illicit liquor from a room
situated at the right side of main gate of the house.
4. Learned Counsel for the petitioner submits that
petitioner is a lady having no criminal antecedent and she has



falsely been implicated in this case merely because she is residing in the alleged house along with other family members. It is further submitted that the house in question is a joint house, in which, other family members are also residing and the petitioner is not aware about the illicit liquor being kept in the room, which is situated near the main gate. Lastly, it is submitted that the bag, in which illicit liquor has been kept, has been recovered from a room situated near the main gate, which is accessible to everyone.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the house in question, from where illicit liquor has been recovered, is a joint family property, petitioner is a lady having clean antecedent and the quantity of recovered liquor is very meager, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of her arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court no. 1,



Aurangabad in connection with Aurangabad (Town) PS case
no. 411 of 2023, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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