

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65764 of 2023

Arising Out of PS. Case No.-344 Year-2023 Thana- BHORE District- Gopalganj

Madhuri Devi Wife Of Motilal Sah Resident Of Village - Hussepur Naya
Shar, P.S. - Bhore, District - Gopalganj

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Bhore P.S. Case No. 344 of 2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act. She has got one criminal antecedent.

3. As per the prosecution story, on 16.07.2023 while the informant was on patrolling duty, he got secret information that this petitioner is indulged in storing and selling illicit liquor near her house. Upon such information, informant along with police team reached there and saw a lady fleeing. She was chased but she managed to escape throwing a gunny bag from which 45.200 litres country made liquor was recovered.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no recovery of illicit liquor from the conscious possession of the petitioner. The petitioner has been made an accused in the present case by the local *Chowkidar*.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that there is no recovery of illicit liquor from the conscious possession of the petitioner and the seizure list witness is a Homeguard police personnel, this Court directs that in case of her arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Bhore P.S. Case No. 344 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Excise Court No.1, Gopalganj subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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