

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65953 of 2023

Arising Out of PS. Case No.-49 Year-2023 Thana- Excise P.S. District- Gaya

RINTU KUMARI @ RITU KUMARI, (F), aged about 38 years, W/O RANA
YADAV R/O VILLAGE- KADWA, P.S- SHERGHATI, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-10-2023 Heard Mr. Prithivi Raj Singh, learned counsel
appearing on behalf of the petitioner and Mr. Sanjay Kumar
Sharma, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Excise P.S. Case No. 49 of 2023 dated 25.07.2023
registered for the offence(s) punishable under Sections 30(a)
and 56(b) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 10 litres of
illicit country made liquor was recovered from a motorcycle
bearing Registration No. BR02AT-7413, belonging to the
petitioner.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner is innocent and has been
falsely implicated in this case. Learned counsel further submits



that the said motorcycle was parked near a public place which is accessible by any one. It is lastly submitted that the petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation as also the fact that petitioner has clean antecedent and recovery of illicit liquor was not made from her conscious possession, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of her arrest or surrender before the Court below within a period of four weeks from today, 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 Exclusive Special Excise Court No.3, Gaya in connection with Excise P.S. Case No. 49 of 2023, subject to the conditions 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 lose its force

(Purnendu Singh, J)

Sanjay/-

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