

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69566 of 2023

Arising Out of PS. Case No.-314 Year-2023 Thana- RAFIGANJ District- Aurangabad

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KAVITA KUMARI @ KABITA KUMARI, W/O AKASH KUMAR, R/O
VILLAGE- DHARHARA, P.S.- RAFIGANJ, DISTRICT- AURANGABAD
(BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-11-2023 As prayed for, learned counsel for the petitioner is permitted to make correction in the cause title during the course of the day.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending her arrest in connection with Rafiganj P.S. Case No. 314 of 2023 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

4. As per the prosecution case, there is recovery of 50 litres of Mahua Liquor from the motorcycle of the petitioner.

5. Learned counsel for the petitioner submits that



petitioner is innocent and she has not committed any offence. Petitioner was not present at the time of occurrence and her husband was arrested with the said motorcycle. The seized liquor does not belong to the petitioner. Petitioner has no criminal antecedent.

6. Learned APP opposes the prayer for anticipatory bail of the petitioner.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Rafiganj P.S. Case No. 314 of 2023, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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