

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70632 of 2023

Arising Out of PS. Case No.-259 Year-2020 Thana- DHORAIYA District- Banka

Puja Kumari, W/O Binod Ray, R/O Village- Barmasiya, P.S- Bounsi, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-11-2023 Heard Mr. Manoj Kumar Jha, learned counsel

appearing on behalf of the petitioner and the learned APP for the

State.

2. The petitioner is apprehending her arrest in connection with Dhoraiya P.S. Case No. 259 of 2020 registered for the offence under Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. In course of vehicle checking, the police intercepted a motorcycle rider, however, noticing the police party, the rider succeeded in fleeing away after leaving the motorcycle. On search, 5 litres of country made liquor, kept in a plastic gallon, which was tied on the back seat of the said motorcycle, was recovered.

4. It is submitted on behalf of the petitioner that the



petitioner is a lady and only on account of she being the owner of the motorcycle, her name has been implicated in this case, without there being any material showing her complicity in the present crime. Further submission has been made that on the alleged date of occurrence, the motorcycle was taken away by one of the co-villager and she was not even knowing this fact that the same has been used for any illegal purpose. It is next submitted that the petitioner is having fair antecedent and she undertakes that she will fully cooperate in the investigation or in the proceeding of the court.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is a lady, who has been made accused in this case only on the basis of she being the owner of the motorcycle, coupled with the fair antecedent, let the petitioner, named above, in the event of her arrest or surrender within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Banka in connection with



Dhoraiya P.S. Case No. 259 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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