

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68896 of 2023

Arising Out of PS. Case No.-256 Year-2023 Thana- Excise P.S. District- Siwan

Nitu Debi, Wife Of Ram Singh Kushwaha Resident Of Village - Kushwaha
Tola Chaukisahan, P.S. - G.B. Nagar, District - Siwan

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary. Advocate
For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-11-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends her arrest in connection
with Excise P.S. Case No. 256 of 2023 dated 12.03.2023
registered for the offence(s) punishable under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is a women and
she has been made accused mainly on account of being
registered owner of the Scooty bearing Registration No. BR-
29AG-0150 which was used in transporting the alleged liquor
but admittedly, the petitioner was not found with the said
vehicle and alleged liquor at the time of recovery rather the
same were found in the possession of co-accused Sashi Kumar
Manjhi, who is a friend of the husband of the petitioner, in fact,



the petitioner had sold out her Scooty to one namely, Md. Ishmail Khan on 10.02.2022 and in this regard relevant documents have been filed with this petition as Annexure-2 series and petitioner had no knowledge regarding the transportation of the alleged liquor by using the alleged vehicle and she has got no criminal antecedent.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the petitioner's defences discussed above, this court is inclined to accept her anticipatory bail prayer. Accordingly, let the petitioner named-above, in the event of her arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Excise P.S. Case No. 256 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

Rajiv/-

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