

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68970 of 2023

Arising Out of PS. Case No.-179 Year-2023 Thana- SONBERSA District- Sitamarhi

SHIVKALA DEVI W/o Shyam Ray R/o Village- Ward no. -12, Ramnagra
Rasalpur, P.s. - Kanhauli, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 01-11-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sonbarsa Police Station Case No. 179 of 2023, dated 28.05.2023, disclosing offences under Section 30(a) of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that 30 liters of illicit liquor has been recovered from a motorcycle owned by the petitioner.
4. Learned counsel for the petitioner submits that the petitioner is a lady and has been made accused merely on the basis of the fact that the motorcycle, from where illicit liquor has been recovered, is owned by her. He further submits that the fact of the matter is that the husband of



the petitioner purchased the motorcycle in the name of the petitioner and the same was being used by him only.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is a lady and she has being made accused merely on the basis of the fact that she is owner of the motorcycle, which was been driven by some other person at the time of occurrence, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Sitamarhi, in connection with Sonbarsa Police Station Case No. 179 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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