

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.68949 of 2023

Arising Out of PS. Case No.-123 Year-2023 Thana- BHORE District- Gopalganj

RITA DEVI Wife of Majistar Singh Resident of Village - Laxmipur, P.S.-
Bhore, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer, Adv.

For the Opposite Party/s : Mrs.Pronoti Singh, 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 Bhore P.S. Case No. 123/ 2023 dated 23/03/2023 registered
for the offence(s) punishable under Section(s) 30(a) and 41(i)
of Bihar Prohibition & Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is a lady having
clean antecedent and the instant matter relates to the recovery
of 14.200 litres of country made liquor, which is said to have
been recovered from a motor cycle and the petitioner is
registered owner of the said vehicle and on account of the said
reason she has been dragged in this case, in fact, co-accused,



Jaggi Lal Singh, who was apprehended with the alleged liquor and motorcycle, is a neighbour of the petitioner and he had taken the petitioner's motorcycle on some pretext and thereafter he misused the petitioner's motorcycle in the alleged offences and the petitioner had no knowledge of the same hence, the offence of Excise Act does not even prima facie attract against this petitioner and his prayer for anticipatory bail is maintainable.

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

5. Considering the above submissions and mainly the fact, that petitioner has been implicated in this case mainly on account of being registered owner of the seized motorcycle, which was allegedly used in transportation of the alleged wine and she has got no criminal antecedent, in my opinion, in the said circumstances, petitioner's prayer for anticipatory bail is fit to be accepted. 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 Bhore P.S. Case No. 123/2023 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)

BKS/-

U		T	
---	--	---	--

