

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73015 of 2023

Arising Out of PS. Case No.-285 Year-2022 Thana- RANIYATALAB District- Patna

Smt. Sweta Sinha Wife Of Sri Rajiv Ranjan Resident Of Krishnapuri, P.S. -
Munger, District - Munger

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Shankar Das

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 10-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending her arrest in connection with Rani Talab P.S. Case No. 285/2022 registered for the offences punishable under Sections 30(a)/ 32/ (i) (iii)/ 36/41 (1) (iii) of the Bihar Liquor Prohibition and Excise Act, 2018.

As per prosecution case, there is alleged recovery of 258.750 litre illicit foreign liquor from the Baleno car in question.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and her name has been surfaced in this case as the owner of the vehicle in question. Learned counsel for the petitioner submits that petitioner had



given her vehicle in question to Alankar Auto Sales and Services Pvt. Ltd for servicing purpose, as mentioned in Annexure-3 of the bail petition and the aforementioned service centre kept the vehicle in question for a period between 01.10.2022 to 01.11.2022, as mentioned in Annexure-4 of the bail petition. During the said period, the said vehicle was not in the custody of the petitioner and petitioner has no knowledge regarding the alleged recovery. Nothing has been recovered from conscious possession of the petitioner. It is further submitted that petitioner being a lady is innocent and has committed no offence as alleged in the FIR and she has falsely been implicated in this case. Petitioner bears no criminal antecedent. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, petitioner is lady, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of her arrest or surrender



before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Special Excise Judge, Danapur in connection with Rani Talab P.S. Case No. 285/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This application stands allowed.

(Alok Kumar Pandey, J)

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