

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73047 of 2022

Arising Out of PS. Case No.-175 Year-2021 Thana- CHANDAN District- Banka

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ASMINA PRAVIN D/o Jalil Ansri R/o - Moulana Azad Colony, Lowadih,
Namkum, P.O. and P.S.- Namkum, Distt- Ranchi (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukul Jee, Advocate

For the Opposite Party/s : Mr.Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-01-2023 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in connection with Chandan P.S. Case No. 175 of 2021 for the offence registered under Sections 30(a) (g) and 32(2) of the Bihar Prohibition and Excise Act, 2018.

As per the prosecution story, the police during patrolling intercepted a vehicle and apprehended a driver, Surendra Prasad and recovered 262 bottles (98.250 liters) of foreign liquor.

Learned counsel for the petitioner submits that although the car belongs to her, the same was sold prior to the present occurrence on 05.09.2021, which is part of the present



petition (as Annexure-4) Thus submission is that the petitioner had nothing to do with the vehicle when it was intercepted carrying liquor on 12.10.2021.

Learned APP for the State opposes the prayer for anticipatory bail.

Taking into account the fact that she is a lady, do not have criminal antecedent and as per Annexure-4, the vehicle was sold to one Nitish Kumar prior to alleged date of occurrence, this Court is inclined to grant her relief.

Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II, Banka in connection with Chandan P.S. Case No. 175 of 2021, subject to condition as laid down under Section 438(2) of the Cr.P.C, with further conditions:

(i) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(ii) the petitioner (s) shall co-operate in the



investigation and made herself available to the police as and
when required.

(Rajiv Roy, J)

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