

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76929 of 2023

Arising Out of PS. Case No.-687 Year-2023 Thana- SIKARPUR District- West Champaran

MARACHHI DEVI W/o Indarshan Prasad R/o village- Belwaniya, Ward No.
-1, P.S.- Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 40 liters of country made liquor is said to have been recovered behind the cattle shade of Indrashan Prasad. It is further submitted that husband of the petitioner was also made accused in this case and has been granted anticipatory bail by a coordinate Bench of this Court. Petitioner has no concern either with the seized liquor or the place of recovery or any



trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The place of recovery is an open place and easily accessible to anyone. Petitioner has been falsely implicated in this case at the instance of his enemy. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No.3332964762, Central Bank of India, Chitkohra Branch, IFSC Code :CBIN0282779 (fifth character is zero), MICR Code : 800016018.

5. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Shikarpur P.S. Case No. 687 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that



(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

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