

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82447 of 2023

Arising Out of PS. Case No.-257 Year-2021 Thana- FATUA District- Patna

ASHA DEVI W/O VIRENDRA PRASAD SINGH MOHALLA- GOURYA
ASTHAN, WEST LOHANIPUR, PS.KADAMKUAN, DIST. PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmeshwar Vishwakarma, Adv.

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2023 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 Bihar Prohibition & Excise Act.

3. Allegedly, 360 ml foreign liquor has been recovered from the seized vehicle. Seeing the police, all the accused persons fled away from the spot.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. She has no concern either with the seized liquor or place of recovery or any trade of liquor. The allegation levelled against the petitioner is general



and omnibus in nature. She was not apprehended on the spot. She had not consumed liquor. Her name has been transpired in the present case merely because she is the registered owner of seized motorcycle. Petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

5. Petitioner is agreed to deposit a sum of Rs. 5,000.00 (Rupees Five Thousand) in account of Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

6. 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 Fatuha P.S. Case No. 257 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(1) One of the bailors will be her own blood relative, preferably, father, mother, brother, sister and/or her husband.



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

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

(Anjani Kumar Sharan, J)

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