

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6265 of 2024

Arising Out of PS. Case No.-295 Year-2023 Thana- LALGANJ District- Vaishali

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RUBY KUMARI WIFE OF RAJESH KUMAR RESIDENT OF VILLAGE -
ETWARPUR, P.S. - LALGANJ, DISTRICT - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Bela Singh

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Lalganj P.S. Case No.295/2023 registered for the offence
punishable under Sections 30(a) of Bihar Prohibition and Excise
Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman. An
allegation is of recovery of 30 litres of liquor out of which 15
litres of liquor was recovered from a scooty. It is next submitted
that the petitioner was not arrested from the spot as such nothing
was recovered from her conscious possession. It is next
submitted that the petitioner being owner of the scooty came to
be implicated when it is not the case of the prosecution that at



the place of occurrence, they saw any woman fleeing from the place of occurrence. It is also submitted that a friend of petitioner namely Mukesh had taken the scooty, as such, she was completely unaware that the vehicle would be misused by her friend in the manner as alleged.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Vaishali at Hajipur, in connection with Lalganj P.S. Case No.295/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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