

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12872 of 2024

Arising Out of PS. Case No.-674 Year-2023 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

Shabana Khatoon @ Karishma Daughter of Late Md. Tahir Hussain Resident
of Village - Shukala Road, Johra Gali, Muzaffarpur, Police Station - Town
Thana, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 16-04-2024 Heard Mr. Sanjeev Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Shailendra Kumar
Singh, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Town P.S. Case No.674 of 2023 registered under Sections
30(a)/37 of the Bihar Prohibition & Excise Act.

3. Allegation is of recovery of one liter beer which
was covered with plastic from the place of occurrence.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner is innocent having falsely
being implicated in the case. Petitioner has no concern either
with the seized liquor or trade of liquor in any manner. Name of
the petitioner has surfaced in the case on the basis of
confessional statement of co-accused which has no evidentiary
value in the eye of law. The petitioner has clean antecedent.



5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation, as well as, the fact that only one liter of beer was recovered from the place of occurrence and the name of the petitioner has surfaced in the case on the basis of confessional statement of co-accused namely Krishna Kumar and Shubham Murari, the petitioner, above named, is directed to be released on anticipatory bail, in the event of his/her arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Spl. Judge Excise Court No.01, Muzaffarpur in connection with Town P.S. Case No.674 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J.)

Mantreshwar/-
Ashishsingh/-

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