

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21278 of 2024

Arising Out of PS. Case No.-162 Year-2023 Thana- KALUAHI District- Madhubani

Mihiki Devi @ Pramila Devi D/o Nand Lal Mukhiya R/o vill - Bardepur, P.s.
- Kaluahi, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Soban Asghar

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-03-2024 1. 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 Sections 272, 273
and 34 of the IPC and Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a woman and
allegation is of recovery of 135 litres of liquor from a place
behind the house of Sanjay Mukhiya.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from her conscious possession and even alleged
recovery is from a place which is accessible to public at large
and does not belong to the petitioner and she came to be



implicated at the instance of local people. It is also submitted that in majority of the cases, the police is implicating the accused persons through Chowkidar or local people but then submits that if local person was aware of the involvement of the petitioner in the occurrence then why he did not inform the police earlier to institute the FIR which further casts aspersion on the case of the prosecution.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court 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 trial court where the case is pending/successor court in connection with Kaluahi P.S. Case No. 162 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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