

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24874 of 2024**

Arising Out of PS. Case No.-283 Year-2023 Thana- BABUBARHI District- Madhubani

Mamta Devi Wife of Parmeshwar Mukhiya Resident of Village- Bausi  
Tirhuta, P.S.- Babubarhi, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

|                          |   |                                              |
|--------------------------|---|----------------------------------------------|
| For the Petitioner/s     | : | Ms. Kumari Pallavi<br>Mr. Manoj Kumar Pandey |
| For the Opposite Party/s | : | Mr. Mohammed Arif                            |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      27-03-2024                      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 u/s 272, 273, 34 of IPC and 30 (a) of Bihar Prohibition and Excise Act.

3. Altogether 4 liters of country made liquor is said to have been recovered from the house of the petitioner.

4. It is submitted by learned counsel for the petitioner that the 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 any trade of liquor. She has been falsely implicated in this case at the instance of her enemy. She



was not apprehended on the spot and her name transpired in the case only on the basis of secret informant. She further submits that the recovery was made from the house of Mamta Devi wife of Saini Mukhiya but the husband's name of the present petitioner is Prameshwar Mukhiya. Petitioner has no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his 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 Babubarhi P.S. Case No.283 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, with the following conditions:

- (i) That one of the bailors will be a close relative of



the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

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

**(Anjani Kumar Sharan, J)**

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