

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34339 of 2024**

Arising Out of PS. Case No.-264 Year-2023 Thana- DHORAIYA District- Banka

Khushboo Kumari W/O Raj Kiran R/O VILLAGE- GHASIYA, P.S.-  
DHORAIYA, DIST-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Om Prakash Singh

For the Opposite Party/s : Mr. Ram Anurag Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      14-05-2024                      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 offence punishable under Section 30(a) of the Bihar  
Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and is a woman.

4. Allegation is of recovery of 17.760 litres of liquor from  
a Scooty.

5. Learned counsel for the petitioner submits that  
petitioner was not arrested from the spot, as such, nothing was  
recovered from her conscious possession and she came to be  
implicated based on the fact that she is owner of the seized Scooty. It  
is further submitted that no prudent person would use his own  
vehicle for committing an occurrence and thus would create evidence  
against herself and hence would get implicated. It is next submitted



that petitioner was completely unaware that Krishna Kumar Mandal would misuse the vehicle in the manner as alleged who was also apprehended from the spot.

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

7. 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 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 court below where the case is pending/successor court in connection with Dhoraiya P.S. Case No. 264 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case in that event the present anticipatory bail order shall not be given effect to.

**(Satyavrat Verma, J)**

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