

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38805 of 2024

Arising Out of PS. Case No.-691 Year-2023 Thana- Excise P.S. District- Aurangabad

Oishani Banerjee, Daughter of Shri Ranjan Banerjee, Resident of Flat No.-
2101, Avani Regency, 1, Dr. Radha Gobindanath Sarani, P.O.- Tollygunj, P.S.-
Jadavpur, District - Kolkata 700033, West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
Mrs. Alka Singh, Advocate
For the Opposite Party/s : Mrs. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Aurangabad Utpad P.S. Case No. 691 of 2023 registered for the alleged offences under Section 30(a) of the Bihar Prohibition & Excise Amendment Act, 2018.

3. As per prosecution case, police received secret information about smuggling of illicit liquor by a car. Police intercepted the car but the person driving the car fled away from the spot leaving behind the car. On search of the said car, recovery of 362.88 litres of illicit foreign liquor was made. Petitioner is stated to be the owner of the said car.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner. Petitioner is not the owner of the car as she sold the car on 01.03.2023 and documents pertaining to the sale of the car has been filed with the petition as Annexure-P/3. After selling the car, petitioner has no concern either with the car or the seized liquor. Petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the remoteness of allegation and also considering the clean antecedent of the petitioner coupled with possibility of false implication, let the petitioner named above, in the event of her arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-II, Aurangabad/ court concerned, in connection with Excise P.S. Case No. 691 of 2023, subject to the condition laid down under section 438(2) of



the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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