

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45138 of 2023

Arising Out of PS. Case No.-95 Year-2023 Thana- MASHRAK District- Saran

LILAWATI DEVI Wife of Late Kalika Singh Resident of village - Semri
Nikumbh Tola, P.S. - Mashrakh, Distt. - Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Adv.

For the Opposite Party/s : Mr.Ahmad Ali, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-01-2024 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 under Sections 30(a), 32(1)(2)(3), 33, 38, 41(1)(2) of the Bihar Prohibition & Excise Act.

3. Allegedly, 120 litres of country made liquor and 880 litres of country made liquor have been recovered from the said Alto car bearing its Registration No. BR-04Q-7178 and the tattered house of co-accused Rohit Kumar Singh @ Bablu Singh, respectively. Petitioner is said to have fled away from the spot.

4. It is submitted by learned counsel for the petitioner that 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. The allegation levelled against the petitioner is general and omnibus in nature. She is not the owner of the recovered motorcycle. She was not apprehended on the spot. Her name has been transpired in the present case merely because she is mother of co-accused Rohit Kumar Singh @ Bablu Singh. Petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

5. Petitioner is agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty Thousand) in account of Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her 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 Mashrakh P.S. Case No. 95 of 2023, subject to



the condition as laid down under Section 438 (2) of the Cr.P.C,
subject to the further conditions that

(1) One of the bailors will be her own blood relative,
preferably, father, mother, brother, sister and/or her husband.

(2) The petitioner shall not indulge herself in any similar
offence till conclusion of the trial.

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

(Anjani Kumar Sharan, J)

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