

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43073 of 2024

Arising Out of PS. Case No.-138 Year-2024 Thana- Excise P.S. District- Begusarai

Bharti Kumari W/o Santosh Kumar R/o Village-Lakho Pachpan Tola, Ward No.14, P.S.-Muffasil(Lakho O.P), district-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhusan Poddar, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

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

2. The petitioner apprehends arrest in Begusarai Excise P.S. Case No. 138 of 2024, registered under Sections 30(a) and 45 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 141.840 liters liquor was recovered from the house and shop of co-accused Santosh Kumar and 360 ml liquor was recovered from the house of co-accused Rajeev Kumar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has no



concern with the alleged recovery of liquor. Learned counsel for the petitioner further submits that the allegation against the petitioner is that she made noise and disturbed the informant after apprehending co-accused Rajeev Kumar. The police involved the name of the petitioner to be affected from village politics. The petitioner has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Begusarai Excise P.S. Case No. 138 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Rajorshi/-

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