

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41836 of 2024

Arising Out of PS. Case No.-8 Year-2023 Thana- BARHARA District- Bhojpur

Deepak Devi W/o Basagiti Mahto R/o Kutubpur Diyara, P.S.-Doriganj,
District-saran,Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malti Kumari

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Barhara P.S. Case no. 08 of 2023 instituted for the offence under Sections 30(a) of the Bihar Prohibition & Excise Act.

It is a case of recovery of 180 litres of illicit liquor from three motorcycles. Petitioner is alleged to be the owner of motorcycle bearing Reg. No. BR-04A-3474 from which 60 litres of illicit liquor has been recovered.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. She has got no criminal antecedent. The name of the petitioner sprang up in this case as she is the owner of the



aforesaid motorcycle. She has no concern with the alleged recovery. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession. There is no independent witness of the alleged seizure.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above as well as petitioner being a lady, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Barhara P.S. Case no. 08 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court I, Bhojpur, Ara, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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