

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40926 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- Bankebazar District- Gaya

Sunila Kumari W/O- Guddu Kumar R/O- Village- Kurmawan, P.S.- Cherki,
Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate
For the Opposite Party/s : Mr. Pushpa Sinha,A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending her arrest in connection with Bankebazar P.S. Case No. 02 of 2024 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

03. As per prosecution case, recovery of 5 litre country made liquor was made from co-accused Pappu Kumar riding a motorcycle. Petitioner is stated to be owner of the motorcycle.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case being the owner of the motorcycle which was being ridden by her brother-in-law. The petitioner has no concern with or knowledge of the seized illicit liquor and she was not riding the vehicle during

the relevant time. She is merely the owner of the said motorcycle used in the alleged occurrence. The petitioner has got no criminal antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and further considering possibility of false implication, let the petitioner above named, 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) each with two sureties of the like amount each to the satisfaction of learned Court of learned Exclusive Special Judge No. 3, Gaya (Bihar) in connection with Bankebazar P.S. Case No. 02 of 2024, 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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