

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43950 of 2024

Arising Out of PS. Case No.-90 Year-2024 Thana- AWTARNAGAR District- Saran

Soni Kumari @ Soni Devi D/o Bhagwan Sah, W/o Pintu Kumar Sah R/o vill -
Kudarnabadha, P.S. - Garkha, Distt. - Saran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Abhijeet Abhigyan, Advocate
		Mr. Gaurav Kumar, Advocate
For the State	:	Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends her arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per prosecution case, 10 litres country made liquor has been recovered from a motorcycle of which this petitioner is registered owner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that no incriminating article has been recovered from the conscious possession of this petitioner and she has been made an accused in this case merely because he happens to be registered owner of the vehicle in question. As a matter of fact, without knowledge and consent of this



petitioner, the vehicle was being used by her husband for transporting illicit liquor. Petitioner is a lady and has got clean antecedents.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, quantity of liquor that has been recovered, the fact that petitioner is a lady and has got clean antecedents, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Excise Court, Saran at Chapra, in connection with Avtarnagar P.S. Case No. 90 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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