

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49175 of 2024

Arising Out of PS. Case No.-124 Year-2023 Thana- KALER District- Jehanabad

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Kavita Devi Wife of Suresh Prasad Resident of Village - Selhauribag, P.S.-
Dulhin Bazar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Kaler P.S. Case No. 124 of 2023 lodged on 21.08.2023 for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise Amendment Act 2018.

3. As per the prosecution, FIR has been lodged against five named accused persons. Total 184.2 litres of illicit english liquor has been recovered which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the petitioner is an old aged lady of 58 years. Counsel further submits that the petitioner was not sitting on the



vehicle, rather, her driver was riding the vehicle and he has committed the offence, but the petitioner was made accused in this case only due to the reason that she is the owner of the said vehicle. Counsel submits that the criminal antecedent of the petitioner is clean. Counsel also submits that the petitioner is a respectable lady and she undertakes that in future, such mistake shall not be committed.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court-II, Jehanabad, in connection with Kaler P.S. Case No. 124 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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