

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53297 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- Excise P.S. District- Madhubani

Punam Kumari @ Punam Devi, Wife of Umesh Kumar Singh R/O village -
Aurahi, Police Station - Babubarhi, Dist.- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bhavesh Sah, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The accused-petitioner, not named in the F.I.R., is apprehending her arrest in connection with G.O. Case No. 954/2024 arising out of Excise P.S. Case No. 106 of 2024 registered for the offences punishable under Sections 30(a) and 37 of the Bihar Prohibition and Excise Act. She has no criminal antecedent as stated in paragraph '3' of the application.

3. The allegation against the petitioner is that the motorcycle, from which illicit liquor was recovered, belongs to this petitioner, which she had given to the co-accused persons for doing



some work.

4. Learned counsel appearing on behalf of the petitioner submitted that implication of this petitioner is only for the reason, as she is the registered owner of the motorcycle from where illicit liquor was alleged to be recovered. It is pointed out that husband of the petitioner had given motorcycle to one of his co-villager namely, Ganesh Kumar Yadav, who misused the same. It is submitted that no illicit liquor was appears to be recovered from conscious physical possession of this petitioner, who is a lady having clean antecedent.

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

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor not appears to be made *prima-facie* from conscious physical possession of this petitioner, who is a lady having clean antecedent, accordingly, above-named petitioner, in the event of her arrest/surrender within a period



of four weeks from today, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Madhubani/concerned court in connection with G.O. Case No. 954/2024 arising out of Excise P.S. Case No. 106 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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