

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48864 of 2024

Arising Out of PS. Case No.-250 Year-2023 Thana- GANGABRIDGE District- Vaishali

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Fula Devi, aged about 46 years, Female, W/o Ravindra Chaudhary, R/o village-Pakari, P.S.- Bidupur, District-Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajeev Ranjan, Advocate

For the Opposite Party : Mr. Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Gangabridge P.S. Case No. 250 of 2023 dated 12.11.2023 registered for the offences punishable under Sections 414 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise(Amendment) Act, 2018.

3. As per the prosecution case, 170 litres of illicit country made liquor was recovered from the Tempo and 50 litres of illicit country made liquor was recovered from the motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in



this case. The name of the petitioner has come in the present case only because she is the registered owner of the Tempo bearing Registration No. BR-31PA 5412 in question from which 170 litres of country made liquor was recovered. The petitioner has given her Tempo to the driver on a normal rent and she had no knowledge that the illicit liquor was kept on her Tempo. The petitioner has no concern with the alleged recovered liquor or the motorcycle in question. No incriminating article has been recovered either from the possession of the petitioner or from the house of the petitioner. The other co-accused Santosh Kumar has already been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 13533 of 2024 under order dated 05.03.2024. The petitioner is a lady. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of her arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special



Excise Court No. 1-cum-Additional District and Sessions Judge,
Vaishali at Hajipur in connection with Gangabride P.S. Case No.
250 of 2023, subject to the condition as laid down under Section
438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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