

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54563 of 2024

Arising Out of PS. Case No.-156 Year-2024 Thana- GOVINDPUR District- Nawada

Usha Devi WIFE OF VIJAY KUMAR VILLAGE- HASANA, PS-
PAKRIBARAWAN, DIST- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 31-08-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Govindpur Police Station Case No. 156 of 2024, dated 26.05.2024, disclosing offences under Sections 30(a)/37/41 of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that on 26.05.2024, the police, on secret information that three persons are carrying illicit liquor, reached the place of occurrence and intercepted a motorcycle, bearing registration no. BR-27U-1356, on which three persons were coming. Upon search, the police recovered a total 5.250 liters illicit liquor and arrested all the three persons



in drunken condition.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case merely because she is the owner of the motorcycle, in question, which was borrowed by a friend of her son. No illicit liquor has been recovered from the conscious possession of the petitioner. He further submits that the petitioner is a lady having no criminal antecedent.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is a lady, having no criminal antecedent and the motorcycle, in question, was borrowed by the friend of the son of the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of her arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Nawada, in connection with Govindpur Police Station Case No. 156 of 2024, subject to the



condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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