

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53782 of 2024

Arising Out of PS. Case No.-101 Year-2023 Thana- Chakmeshi District- Samastipur

Bibha Kumari @ Vibha Kumari wife of Sunil Kumar Mishra Village-
Hajpurwa Ps- Chakmeshi Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-08-2024 1. Heard the parties.

2. The petitioner apprehends her arrest in connection with Chakmehsi P.S. Case No. 101 of 2023 dated 24.05.2023 registered under Sections 30 (a) of the Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case a total quantity of 97.725 liters of foreign liquor has been recovered from different vehicles out of which 1.5 liters has been recovered from the Hero HF Deluxe motorcycle belonging to the petitioner.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and she has not committed any offence in the manner alleged. The petitioner has been made accused only because she happens to be the registered owner of the motorcycle in question. He next submits that the motorcycle was borrowed by the co-villager and the petitioner



was not aware about the fact that illicit liquor was being carried in the motorcycle. The petitioner is a lady having clean antecedent. He further submits that seizure list has not been prepared as per the provisions prescribed under Section 100 of the Cr.P.C.

5. Regard being had to the submission made by the parties, taking into consideration the fact that no illicit liquor has been recovered from the conscious possession of the petitioner, the fact that petitioner is a lady and has got clean antecedent, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Shri Vashant Kumar, learned Exclusive Special Judge Excise-01, Samastipur / court concerned in connection with Chakmehsi P.S. Case No. 101 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anil Kumar Sinha, J)

