

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60831 of 2024

Arising Out of PS. Case No.-287 Year-2020 Thana- BIBHUTIPUR District- Samastipur

Anita Devi, W/o Manoj Sah, R/o Village- Patailiya, PS- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Mirityunjay Kumar, Advocate
	Ms. Pampy Kumari, Advocate
	Ms. Megha Kumari, Advocate
For the Opposite Party/s :	Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending her arrest in connection with Bibhutipur P.S. Case no. 287 of 2020 registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, a total of 2283.840 litres of liquor was recovered including 18 litres of liquor from the motorcycle which was registered in the petitioner's name.

4. Learned counsel for the petitioner submits that the petitioner, who happens to be a lady, has been falsely implicated in the case only for the reason that she is the registered owner of the motorcycle in question. She was nowhere present near the place of occurrence at the time of the alleged recovery. In fact, no incriminating article has been recovered either from her



possession or from the motorcycle. She has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the contents of the petition especially the statement made in paragraph no.9 wherein the petitioner is said to be the registered owner of the motorcycle in question together with the petitioner, who is a lady, not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of her arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bibhutipur P.S. Case no. 287 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-Ist, Samastipur.

(Partha Sarthy, J)

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