

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63594 of 2024

Arising Out of PS. Case No.-3 Year-2019 Thana- DEODHA District- Madhubani

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Shalini Devi @ Shalini Gupta Wife of Deepak Kumar Jaiswal Resident of
Village -Station Road, Jaynagar, Ward No 5, PS -Jaynagar, District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Pandey, Advocate
		Ms. Kumari Pallavi, Advocate
For the Opposite Party/s :		Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-09-2024

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 Deodha P.S. Case no. 3 of 2019 registered under sections 272, 273 and 414 of the Indian Penal Code and section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 45 litres of *Nepali* wine was recovered from the vehicle in question and one Vikash Kumar was taken into custody. It is stated that one of the accused managed to flee away and he was named as Raushan Shah by the person who was arrested at the spot.



4. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. She was falsely implicated in the case only for the reason that she happens to be the registered owner of the vehicle. It is submitted that the petitioner had sold the vehicle registered in her name on 6.12.2018 itself to one Raj Kumar, however, the error committed on her part was that she did not ensure that the vehicle is registered in the name of the purchaser. The petitioner is a lady having 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 petitioner not being named therein, no incriminating article having been recovered from her possession together with the petitioner being a lady having no criminal antecedent, 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 Deodha P.S. Case no. 3 of 2019 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 Additional Sessions Judge-II-cum-Special Judge,
Excise, Madhubani.

(Partha Sarthy, J)

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