

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66673 of 2024

Arising Out of PS. Case No.-562 Year-2024 Thana- Excise P.S. District- Aurangabad

Puja Devi Wife of Deepak Singh Resident of Village - Ward No.- 1,
Ganeshpuri Japla, P.S.- Hussainabad, District - Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in connection with Excise P.S. Case No. 562 of 2024 registered for the offences punishable under Sections 30(a), 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, the police has recovered total 155.520 liter illicit country made liquor from the Swift Dezire car bearing Regd. No. CG11AK4050.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against her and has falsely been implicated in the present case. He further submits that nothing incriminating has been



recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. and her name has transpired in this case on the basis of suspicion as the petitioner is the owner of seized car. The petitioner has no concern with the seized illicit liquor. The petitioner is not the driver of the seized vehicle. As per F.I.R., the seized vehicle was being driven by her son/co-accused Sidhhant Singh @ Vivek Kumar. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Siddhant Kumar @ Siddhant Singh @ Vivek Kumar has been granted regular bail by this Court vide order dated 07.08.2024 passed in Cr. Misc. No. 53974 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be



released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Excise P.S. Case No. 562 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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