

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66523 of 2024

Arising Out of PS. Case No.-239 Year-2024 Thana- BIHIA District- Bhojpur

Nazma Khatoon Wife of Khalil Sai R/o Village- Rampur, P.S.- Bihiya,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Bihiya P.S. Case No. 239 of 2024 instituted for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 10 litres of *mahua* liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submitted that the petitioner is an innocent lady and has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that the alleged recovery has been made from



the joint of the petitioner where other family members also reside. Petitioner has no knowledge and concern regarding the illicit liquor. The petitioner has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bihiya P.S. Case No. 239 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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