

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71798 of 2024

Arising Out of PS. Case No.-179 Year-2024 Thana- PARSABAZAR District- Patna

Sangita Devi Wife of Jitendar Kumar Resident of Village -Fatehpur, PS- Parsa Bazar, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-10-2024 1. Heard the parties.

2. The petitioner apprehends her arrest in connection with Parsa Bazar P.S. Case No. 179 of 2024 dated 22.03.2024 registered under Sections 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the First Information Report the Police intercepted one grey colour motorcycle bearing Registration No. BR01FD5329 and apprehended one person namely, Jitendar Kumar i.e. the husband of the petitioner along with 750ml of wine.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and she has not committed any offence in the manner alleged. The petitioner is not named in the F.I.R. rather only her name has been incorporated in the body of



the F.I.R. as the owner of the vehicle in question. The petitioner is an illiterate lady and her husband, who was driving the vehicle in question at the relevant point of time has already been arrested. The petitioner was not aware that illicit liquor was being carried by her husband on the motorcycle in question. The petitioner has got no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is a lady having no criminal antecedent coupled with the fact that her husband has already been arrested, 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 Special Judge Excise Act -II, Patna in connection with Parsa Bazar P.S. Case No. 179 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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