

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72733 of 2024

Arising Out of PS. Case No.-159 Year-2024 Thana- Excise P.S. District- Madhubani

Fulpari Devi W/o- Ram Babu @ Ram Babu Paswan R/o - Ijara, Ward No.07,
P.S - Rahika, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

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

ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in G.O. No. 1442
of 2024, arising out of Sadar Excise P.S. Case No. 159 of 2024,
registered under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 63 liters
liquor was recovered from a bag which was tied on the
motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no concern with the alleged
recovery of liquor. Learned counsel for the petitioner also
submits that petitioner is the wife of co-accused Ram Babu.
Name of the petitioner has transpired in this case as being owner



of the motorcycle in question and she has no knowledge regarding the goods were carrying in that motorcycle. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 10.07.2024 passed in Cr. Misc. No. 48356 of 2024. There is no compliance of Section 100 of 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, let the petitioner, above named in the event of arrest/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 Court below/concerned Court in connection with G.O. No. 1442 of 2024, arising out of Sadar Excise P.S. Case No. 159 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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