

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73109 of 2023

Arising Out of PS. Case No.-338 Year-2023 Thana- Excise P.S. District- Muzaffarpur

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BABITA KUMARI W/O DHARMENDRA KUMAR R/O VILLAGE-
MOHAMADPUR SURA, P.S- GHAIGHAT, DISTT.- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra

For the Opposite Party/s : Mr. Nityanand

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in connection
with Muzaffarpur Excise Case No.338/2023 registered for the
offence punishable under Section 30(a) of Bihar Prohibition and
Excise Amendment Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman. An
allegation is of recovery of 486 litres of liquor from a Bolero
pick-up vehicle. It is next submitted that petitioner was not
arrested from the spot as such nothing was recovered from her
conscious possession. It is next submitted that petitioner being
the owner of the vehicle came to be implicated in a mechanical
manner. It is next submitted that no prudent person would use



his own vehicle for committing an occurrence and thus would create evidence against herself. It is thus submitted that the petitioner was completely unaware that her driver would misuse her vehicle in the manner as alleged.

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

5. Considering the submissions made by the learned counsel for the petitioner, 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.500/- (Rupees five hundred) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court No.II, Muzaffarpur in connection with Muzaffarpur Excise Case No.338/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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