

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75613 of 2024

Arising Out of PS. Case No.-110 Year-2024 Thana- BENIPATTI District- Madhubani

Gulab Devi Wife of Rambabu Mukhiya Resident of village- Ladaut, Police
Station- Benipatti, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2024 Heard Learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Benipatti P.S. Case No.110 of 2024, registered for the offences punishable under Section 414 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, recovery of nine liters of wine has been the subject matter of the present case, which has been recovered from the vehicle of the petitioner.

4. Learned Counsel for the petitioner submits that antecedent of the petitioner is clean. Counsel submits that petitioner has given his motorcycle to his brother-in-law, who has been arrested on spot. Counsel submits that the petitioner



has no knowledge regarding the work which his brother-in-law used to do. He is basically victim in this case.

5. Learned Additional Public Prosecutor for the State opposes the prayer for bail but fairly accepts that petitioner has neither been found at the spot nor any recovery has been made from his possession.

6. In this view of the matter, the petitioner, above named, is directed to 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.30,000/- (Three Thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Madhubani, in connection with Benipatti P.S. Case No. 110 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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