

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75096 of 2024

Arising Out of PS. Case No.-34 Year-2018 Thana- NADI P.S. District- Patna

Nilu Devi Wife Of Ajit Paswan @ Ajit Kumar Resident Of Village-Nakhas,
Mangal Akhara, Police Station-Patna City Chowk, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable u/s 30 (a) of Bihar Prohibition and Excise Act, 2016.

3. Altogether, 100 liters of country made liquor is said to have been recovered from the motorcycle.

4. It is submitted by learned counsel for the petitioner that the motorcycle has been seized in this case which was registered in the name of the petitioner but the same had already been sold to one Jainath Rai, father of co-accused, Nitish Kumar. It is also submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case due to



ulterior motive. Nothing has been recovered from the conscious physical possession of the petitioner. She has no concern either with the seized liquor or any trade of liquor. She was not apprehended on the spot and her name transpired in the case on suspicion. Petitioner has got no criminal antecedent.

5. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 learned Court below, where the case is pending/Successor court, in connection with Nadi P.S. Case No.34 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, with the following conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any



other case of similar nature and thereafter the Court below will
be at liberty to initiate proceeding for cancellation of
anticipatory bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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