

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77026 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- Excise P.S. District- Siwan

Dropati Devi @ Dropadi Devi Wife of Late Mukhtar Chauhan Resident of
village- Akolhi, P.S- Zeeradei , District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

Mr. Raghav Prasad, Advocate

Ms. Urmila Kumari, Advocate

Mr. Chandra Shekhar, Advocate

Mr. Gun Sagar Mahto, Advocate

For the Opposite Party/s :

Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 14-11-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending her arrest in connection with Siwan Excise P.S. Case no. 126 of 2024 registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on search being conducted 35.280 litres of IMFL was recovered from the vehicle in question and the accused Raja Babu was taken into custody.

4. Learned counsel for the petitioner submits that the petitioner is a 71 year old widow who on the death of her husband had given the motorcycle in question to her daughter's son and who in turn had sold it to one Raja Babu. No incriminating article has been recovered from the petitioner's possession and the cause of false implication of the petitioner is that she



happens to be its registered owner. Only error on part of the petitioner is that she did not get the documents with respect to registration of the vehicle transferred in the name of the purchaser. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R., no incriminating article having been recovered from the petitioner’s possession and the petitioner who happens to be a 71 year old lady having no antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of her arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Siwan Excise P.S. Case no. 126 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court no.II, Siwan.

(Partha Sarthy, J)

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