

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78287 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- Kachna District- Katihar

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Dulari Devi W/O Meghan Kumar @ Megan Singh Resident of Village-
Udama Rekha Simia, P.S- Katihar Muffasil, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Kachna P.S. Case No. 33 of 2024 registered under Section 30(a)
of Bihar Excise Act.

3. Altogether, 630 liters of foreign liquor were recovered
from three vehicles. It is alleged that petitioner is the owner of
one of the seized vehicles bearing Reg. No. BR11-BF-1117.

4. Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case merely because she is the owner
of one of the seized vehicles from which the illicit foreign liquor
has been recovered. Further submission is that petitioner has no
concern with the seized illicit liquor. Nothing has been
recovered from the conscious possession of the petitioner.



Petitioner is a lady and has got clean antecedent.

5. Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No.3332964762, Central Bank of India, Chitkohra Branch, IFSC Code :CBIN0282779 (fifth character is zero), MICR Code :800016018.

6. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000 (Rupees Twenty Five 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 Kachna P.S. Case No. 33 of 2024, subject to the conditions 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.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Mahavir Cancer Sansthan.

8. However, learned Court below is directed to verify the criminal antecedent of the petitioner, before accepting her bail bond and if it is found that she has criminal antecedent, apart from the present case, the bail bond of the petitioner shall not be accepted.

(Anjani Kumar Sharan, J)

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