

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78403 of 2024

Arising Out of PS. Case No.-55 Year-2022 Thana- ARA NAGAR District- Bhojpur

Ful Devi @ Fula Devi W/O Ramjee Yadav Resident of Village-Charkhambha
Gali, P.S- Ara Nagar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 04-12-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Ara Nagar PS case no. 55 of 2022, disclosing offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.
3. The prosecution story, as per the First Information report, is that police got secret information that illicit liquor was being transported from tempo, proceeded towards the place of occurrence and upon seeing the police party, one person fled away and police recovered 76.860 liters of foreign liquor from the said tempo.
4. Learned Counsel for the petitioner submits that



the petitioner has been made accused mainly because he happens to be the registered owner of the vehicle. The vehicle in question is a commercial vehicle and was being plied on hire basis at the time of occurrence. He further submits that from perusal of the F.I.R., it appears that the driver fled away leaving the tempo. He also submits that the petitioner was not aware about the illicit liquor being carried by the driver of the vehicle. The petitioner is a lady, aged about 65 years and she is having clean antecedent.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is a lady and has been made accused on the basis of her being registered owner of the vehicle in question, which is a commercial vehicle being plied by the driver, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 01, Bhojpur, Ara in connection with Ara Nagar PS case no. 55 of



2022, subject to the condition laid down under Section
438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

rinkee/-

U		T	
---	--	---	--

