

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84259 of 2024

Arising Out of PS. Case No.-284 Year-2024 Thana- DARBHANGA SADAR District-
Darbhanga

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Priyanka Kumari Wife of Chandan Kumar Yadav Resident of Village Ladha,
Ward No.- 12 PS- Kamtaul District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-12-2024 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 (Amendment) Act, 2022.

3. Altogether 135 liters of India made foreign liquor is said to have been recovered from an auto-rickshaw. The driver of the auto fled away from the spot on seeing the police party.

4. It is 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. No incriminating article 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 only because she is the owner of the said auto-rickshaw. Her husband had purchased the said auto in her name and given the auto to one, Pankaj Kumar Yadav, one of his co-villagers for carrying passengers. Petitioner has no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her 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 Darbhanga Sadar P.S. Case No.284 of 2024, subject to the condition as laid down under Section 482(2) of BNSS, 2023, 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 aforesaid amount in the account of Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

priyanka/-

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