

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.81575 of 2024

Arising Out of PS. Case No.-353 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Minta Devi @ Mati Devi Wife of Late Binod Paswan R/o Village -Sirsa,
Ward No. 03, P.S. -Mufassil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Asif Kalim, Advocate
For the Opposite Party/s : Mr. Nityanand, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 12-12-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. This application, for grant of anticipatory bail,
arises out of Muffasil P.S. Case No. 353 of 2024, disclosing
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution story, as per the First Information
Report, is that, the police, on secret information that the
petitioner has kept liquor in her house and selling the same,
reached at the place of occurrence and upon seeing the police,
one lady fled away from the house, who was identified as the
petitioner by the local people. On search, total 4 litres of illicit



country made liquor has been recovered from the house of the petitioner.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case at the instance of local people. He further submits that petitioner is having no criminal antecedent. Referring to the seizure list, he submits that the illicit liquor was not recovered from the house of the petitioner, rather, the same has been recovered from south of Sirsa Mushari Tola.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the contradiction in the statement made in the F.I.R. and the seizure list regarding the place of seizure of illicit liquor, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, above named, in the event of his arrest or surrender before the Court below within three 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 Special Judge, Excise Court No.-1, East Champaran, Motihari in connection with Muffasil P.S. Case No. 353 of 2024, subject to the condition laid down under Section



438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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