

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.81425 of 2024

Arising Out of PS. Case No.-437 Year-2024 Thana- Excise P.S. District- Siwan

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Kanti Kumari D/O- Radha Ram Resident of village-Shankarpur , P.S-Asaw ,
Distt. -Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 11-12-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail,
arises out of Siwan Excise Police Station Case No. 437 of 2024,
disclosing offences under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2022.
3. As per the prosecution story, on 21.07.2024, during
a raid, at about 8:40 pm, the police stopped a motorcycle
bearing Reg. No. BR29BA 8554, on which three persons were
sitting. Upon search, the police recovered total of 1.440 liters of
illicit liquor.



4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to mala fide intention and ulterior motives. Petitioner was not present at the place of occurrence and no illicit liquor has been recovered from the conscious possession of the petitioner. Petitioner has falsely been implicated merely on the basis of her being the registered owner of the seized motorcycle which her neighbor had borrowed for some personal use. The petitioner was not aware that her neighbor would misuse her vehicle in the manner alleged. Petitioner is having no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent, petitioner is a lady and she had given her motorcycle to her neighbor, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four 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 Judge-II, Siwan, in connection with Siwan Excise Police Station Case No.



437 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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