

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84130 of 2024

Arising Out of PS. Case No.-1060 Year-2024 Thana- Excise P.S. District- Aurangabad

Kamla Devi W/O Ramesh Kumar Yadav @ Ramesh Yadav R/O Village-
Tendua, P.S. Aurangabad Muffasil, Distt-Aurangabad(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal

For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-12-2024 Heard Mr. Aman Vishal, learned counsel for the

petitioner and Mr. Dilip Kumar No. 1, learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 30 (a), 32(3) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 105 liters of illicit spirit is said to have been recovered from the motorcycle. He submits that the petitioner is the owner of the seized motorcycle on that basis she has been made accused in this case. He submits that the petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. 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 (fifth character is zero), MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

5. 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 Excise P.S. Case No. 1060 of 2024, subject to the condition as laid down under Section 482 (2) of the B.N.S, subject to the further conditions that:

(i) One of the bailors will be her own blood relative, preferably, father, mother, brother, sister and/or her husband.

(ii) The petitioner shall not indulge herself in any similar offence till conclusion of the trial.

6. 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, Patna.

(Anjani Kumar Sharan, J)

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