

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86348 of 2024

Arising Out of PS. Case No.-276 Year-2024 Thana- BELHAR District- Banka

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Guriya Khatoon D/O Md. Nijam Shekh R/O Village- Gorgawan, P.S- Belhar,
Distt.- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Om Prakash Singh, Adv.

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2024 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 76 liters of illicit country made liquor is said to have been recovered from two motorcycles.

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. During police investigation it was found that one of the motorcycle belongs to this petitioner, therefore the petitioner is made accused in the present



case. Petitioner has got one criminal antecedent which is of similar nature.

5. Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in the account of Lawyer's Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, 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 Belhar P.S. Case No.276 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S, 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 she is related with the petitioner. She 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 she 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 Lawyer’s Association Welfare Benevolent Fund.

(Anjani Kumar Sharan, J)

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