

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8984 of 2024

Arising Out of PS. Case No.-1088 Year-2023 Thana- Excise P.S. District- Bhagalpur

KUMARI MOTI Wife of Pankaj Kumar Jha Resident of Village-Manoharpur,
P.S. and District-Suppol, (Owner of Maruti Baleno Sigma) bearing
registration no. BR10AN-0926 resident of at present village-Rungta, P.S.-
Naugachia, District-Bhagalpur, Mobile No. 6206159071

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saghir Ahmad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-04-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.
2. The petitioner seeks bail in anticipation of her
arrest in a case registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a women and
allegation is of recovery of 167.76 liters of liquor from a car.
4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from her conscious
possession and she came to be implicated based on the fact that
she is owner of the seized vehicle. It is next submitted that no
prudent person would use his own vehicle for committing an
occurrence and thus would create evidence against herself and



hence would get implicated. It is next submitted that petitioner was completely unaware that Prince would misuse the vehicle in a manner as alleged as he was also apprehended from the spot along with Rahul and Keshav.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, IXth, Bhagalpur in connection with Sadar P.S. Case No.1088 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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