

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5789 of 2025

Arising Out of PS. Case No.-104 Year-2024 Thana- EXCISE PATORI District- Samastipur

Sanju Devi W/O- Ashok Kumar Sahani Resident of Village- Madudabad, P.S.-
Mohiuddin Nagar, District- - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-02-2025 Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Patori Excise P.S. Case no. 104 of 2024 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a search being conducted of three vehicles a total 4.14 litres of liquor was recovered from the vehicle in question and two accused persons were arrested. The FIR was registered against the said two accused and the registered owner of the vehicle in question.

4. Learned counsel for the petitioner submits that the petitioner who happens to be a lady has been falsely implicated in the case. Neither the petitioner was arrested at the spot nor any incriminating article recovered from her



possession. The cause of her false implication is that she happens to be the registered owner of one of the three vehicles in question which was being driven by her husband at the relevant time. She has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., the implication of the petitioner being only for the reason of her being the registered owner of one of the three vehicles in question, no incriminating article having been recovered from the petitioner's possession and specially the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner above named, in the event of her arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Patori Excise P.S. Case no. 104 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise II, Samastipur.

(Partha Sarthy, J)

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