

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26714 of 2025

Arising Out of PS. Case No.-411 Year-2024 Thana- Excise P.S. District- Siwan

Malti Devi W/o- Bhulawan Mahto Resident of village - Rampur Khajuria, Ps-
Dumariya Ghat, Dist- Motihari at East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamli Kumari, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Siwan Excise Sadar P.S. Case No. 411 of 2024 dated
06.07.2024, instituted for the offence punishable under Section
30(a) of the Bihar Excise Act.

3. The allegation is of recovery of 0.375 litre foreign
liquor from motorcycle bearing Registration No. BR05AQ7946.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and she has been falsely implicated in this
case. It is submitted that the said motorcycle was seized and the
driver of the said motorcycle, namely, Bhola Mahto @
Bhulawan Mahto, who is husband of the petitioner was
apprehended by the police. It is submitted that the said vehicle
is registered in the name of the petitioner, which has been given
by the father of the petitioner as a gift. It is further submitted



that the husband of the petitioner is using the said motorcycle. It is also submitted that nothing has been recovered either from the conscious possession of the petitioner or from her house. Lastly, it has been submitted that she has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Siwan Excise Sadar P.S. Case No. 411 of 2024, she shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. II, Siwan, subject to condition as laid down under Section 438(2) of the Cr.P.C./482(2) of B.N.S.S..

(Khatim Reza, J)

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