

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55269 of 2025

Arising Out of PS. Case No.-602 Year-2024 Thana- Excise P.S. District- Siwan

Mamta Devi wife of Jawahar Chaudhari Resident of Village -Fatehur, PS-Siwan Town, Dist -Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered under Sections 30(a) and 32(3) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 6.750 litres of illicit foreign liquor was recovered from the scooty of the petitioner which was used by co-accused Jawahar Chaudhary, who is husband of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case being the registered owner of the seized vehicle. Further submission is that on the alleged date of occurrence, the vehicle in question was used by the husband of the petitioner, namely,



Jawahar Chaudhary and without knowledge and consent of the petitioner, her vehicle was being used for transportation of illicit liquor. It is submitted that petitioner has no concern with the seized illicit liquor and nothing has been recovered from the conscious possession of the petitioner. Petitioner is a lady having clean antecedent and she undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No. II, Siwan in connection with Siwan Excise P.S. Case No. 602 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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