

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87314 of 2024

Arising Out of PS. Case No.-175 Year-2024 Thana- DHANAHA District- West Champaran

Munni Shukla W/o- Himanshu Shukla Rampurawa ward No. 06, Vrindavan
Ashram, Tika, Chhapra, Ashram Brindavan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 20-01-2025 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Dhanaha Police Station Case No. 175 of 2024, dated 13.08.2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that one person, carrying illicit liquor, is going from Bhansi to Dhanaha, barricaded the road and at about 10 AM, saw a car coming from Bhansi and on seeing the barricading the driver tried to dodge and run from the barricading, however, the police stopped the vehicle and arrested the driver, who disclosed his name as Anand ji @ Chotu



Kumar. On search, the police recovered 02 litres illicit liquor. It has further been alleged that on enquiry from the arrested co-accused person, he disclosed that one Diwakar Kumar had given him the illicit liquor, stating the same to be water.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely because she happens to be the registered owner of the car in question. He further submits that the petitioner has got no concern with the illicit liquor recovered and her son, Anand Ji, had taken the car for his personal use. He further submits that the petitioner has got no criminal antecedent.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent and he has been made accused in the present case merely because she is the owner of the car, in question, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of her arrest



or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, West Champaran, at Bagaha, in connection with Dhanaha Police Station Case No. 175 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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