

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86900 of 2024

Arising Out of PS. Case No.-75 Year-2024 Thana- KHIRHAR District- Madhubani

Mamta Kumari D/O Late Gulam Mukhiya R/O Vill.- Dumara, P.s.- Saharghat,
Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah
For the Opposite Party/s : Mr.Kanhaiya Kishore (App.100)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-01-2025 1. Heard the parties.

2. The petitioner apprehends her arrest in connection with Khirhar P.S. Case No. 75 of 2024 arising out of G.R. Case No. 1117 of 2024 dated 10.08.2024 registered under Section 274, 275, 317 (5), 3(5) of the B.N.S., 2023 and Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the first information report a total quantity of 19.500 liters of illicit Nepali liquor has been recovered from a Hero Splendor Plus motorcycle bearing Registration No. BR32V7440 and the Police apprehended the co-accused Dhanik Lal Mukhiya.

4. Learned counsel for the petitioner submits that the petitioner is innocent and she has not committed any offence in the manner alleged. He submits that the petitioner is a lady having no criminal antecedent and she has falsely been



implicated merely on the ground that she is the registered owner of the motorcycle in question. He further submits that the arrested co-accused Dhanik Lal Mukhiya had borrowed her motorcycle for some personal work and the petitioner was unaware regarding illicit liquor being carried on her motorcycle.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation, the fact that the petitioner is a lady having no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Addl. Sessions Judge cum Special Judge Excise Act Madhubani in connection with Khirhar P.S. Case No. 75 of 2024 arising out of G.R. Case No. 1117 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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