

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70199 of 2023

Arising Out of PS. Case No.-313 Year-2023 Thana- RAJAOLI District- Nawada

Chandni Kumari, aged about 22 years (Female), W/O Manish Kumar,
Resident Of Village Kushahan, P.S. - Sirdalla, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-11-2023 Heard Mr. Sheo Kumar Prasad, learned counsel

appearing on behalf of the petitioner and Mr. Dashrath Mehta,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Rajauli P.S. Case No. 313 of 2023 registered for the
offence punishable under Section 30 (a) of the Bihar Prohibition
and Excise Act as amended up-to-date.

3. Allegation is of recovery of 750 ml. of Indian made
foreign liquor from a motorcycle belonging to the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Nothing has been recovered
from the conscious possession of the petitioner. Petitioner has
no concern with the alleged seized liquor. Petitioner is not



involved either in manufacturing or in trade of illicit liquor, which is prohibited in the State of Bihar. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR against the petitioner, as well as, nothing has been recovered from the possession of the petitioner. Petitioner is not involved either in manufacturing or in trade of illicit liquor, which is prohibited in the State of Bihar. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of her arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge 2, Nawada,, in connection with Rajauli P.S. Case No. 313 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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