

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15496 of 2025

Arising Out of PS. Case No.-1482 Year-2023 Thana- Excise P.S. District- Kishanganj

Bimala Singha D/O Anil Singha R/O Village- Kungurpur, P.S- Khoribari,
Dist- Drajeeling, State- West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 15-05-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2016

3. As per the prosecution case, there is a recovery of 750 ml of foreign liquor was recovered from the pillion rider of Hero Honda Splendor motorcycle.

4. Learned counsel for the petitioner submits that he is not named in the First Information Report and other accused persons were taken into custody from whom the recovery was made. The name of the petitioner has transpired only on the account of the fact that the motorcycle is registered in the name of the petitioner, who is a lady. There is no recovery from the



physical and conscious possession of the petitioner and she has nothing to do either with the seized motorcycle or the seized liquor. The petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the above facts and circumstances, let the petitioner, above named, in the event of his 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 Exclusive Special Judge Excise-II, Kishanganj in connection with Kishanganj Excise P.S. Case No.1482 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

(Soni Shrivastava, J)

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