

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19474 of 2025

Arising Out of PS. Case No.-488 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Shital Wife of Chotelal R/o Village - Varawa Jangal, Kundwa Urf Dilipnagar,
P.S.- Kaseya, District - Kushinagar, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey, Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends his arrest in connection with Kuchaikote P.S. Case No.488 of 2024 lodged on 14.11.2024, for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

3. As per the prosecution, the allegation of total 18 liters of country made liquor have been recovered a motorcycle, which is subject matter of the present case.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He further submits that the petitioner has been falsely implicated in the present case. He further submits that the petitioner is a lady and the said recovery has not been made from conscious possession of the petitioner. He further submits that petitioner's name has come in this case due to the reason that the said motorcycle was in her name. He further submits that son of the petitioner was using her motorcycle.

5. Counsel submits that the criminal antecedent of the petitioner is clean.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is clean and ingredients under Excise Act has not made out against the petitioner.

7. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Addl. District and Sessions Judge-IV-cum-Exclusive Special Excise Court No.II, Gopalganj, in connection



with Kuchaikote P.S. Case No.488 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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