

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23177 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- PUNAURA District- Sitamarhi

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Kusamanti Devi, aged about 40 years, female, W/o- Dev Sharan Yadav
Resident of Village- Punaura Ward No.9, P.S.- Punaura, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-04-2025 Heard Mr. Ashok Kumar Jha, learned counsel

appearing on behalf of the petitioner and Mr. Binod Kumar

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Punaura P.S. Case No. 09 / 2025 registered for the
offence(s) punishable under Section30(a) of the Bihar
Prohibition and Excise Act.

3. As per the allegation made in the FIR, 66.500. litres
of illicit liquor was recovered 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. He further submitted that
during investigation, petitioner has been made accused being the



owner of the said motorcycle. Admittedly, at the time of the alleged seizure and recovery of illicit liquor, petitioner was not present and the said motorcycle was being driven by co-accused Amkam Kumar, who is son of the petitioner and petitioner had no idea that that her son was carrying liquor on the said motorcycle. Petitioner, who is a lady, has clean antecedent.

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 and also the fact that petitioner is a lady, having 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 his arrest or surrender before the learned District Court 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 learned Exclusive Special Excise Court No. I, Sitamarhi / Concerned Court in connection with Punaura P.S. Case No. 09 / 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the



criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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