

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25989 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- BODHGAYA District- Gaya

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Nisha Kumari D/o Babulal Ravidas @ Babulal Raivdas, Resident of
Ghugharitand, Chhatu Bigha, Near Shiv Mandir Chand Chauraha, P.S.-
Vishnupad, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate
For the State : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending her arrest,
in connection with Bodhgaya P.S. Case No. 09 of 2025, dated
05.01.2025, registered for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2022.

3. As per allegation, 375ml. litre of illicit liquor has
been recovered from the pocket of the co-accused who was
driving the motorcycle and petitioner being the owner of the
motorcycle, has been made accused in this case.

4. Learned counsel for the Petitioner submits that the
Petitioner is innocent and has falsely been implicated in this



case. He further submits that nothing has been recovered from the possession of the Petitioner, nor her vehicle can be held to be transporting the contraband, because small quantity of liquor has been recovered from the pocket of co-accused who was driving the motorcycle. He further submits that petitioner has nothing to do with the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of her arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on her furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Bodhgaya P.S. Case No. 09 of 2025, subject to the conditions as laid down



under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing her and getting satisfied that the petitioner has concealed her criminal antecedents despite her knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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