

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29876 of 2025

Arising Out of PS. Case No.-115 Year-2025 Thana- PHULWARISHARIF District- Patna

Sujata Kumari son of Tej Narayan Singh R/o- Kitapur Bimawan, P.S- Jagdishpur, Distt- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd Singh

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending her arrest in connection with Phulwari Sharif P.S. Case No. 115/2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 14.58 liters illicit foreign liquor from the Scooty in question. FIR has been lodged against the owner and the driver of the said Scooty.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. The petitioner bears no criminal antecedent. The petitioner is not named in the FIR and during course of



investigation, the name of the petitioner has been surfaced in this case as an owner of the said Scooty. He further submits that the petitioner has sold the said Scooty to Ramesh Kumar Yadav on 30.11.2024 and the document of sale letter dated 30.11.2024 is annexed at Annexure-2 of the bail petition. No incriminating article has been recovered from the possession of the petitioner. He further submits that the petitioner has no concern with the seized liquor. The petitioner is not in any way connected with the alleged occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned Court of learned
Special Judge Excise Act-1st, Patna in connection with Phulwari
Sharif P.S. Case No. 115/2025, subject to the conditions as laid
down under Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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