

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30287 of 2025**

Arising Out of PS. Case No.-98 Year-2024 Thana- KHIRHAR District- Madhubani

Phul Kumari W/o Jagaranath Pradhan Resident of Village- Mohamadpur,  
Ward No. 02, P.S- Benipatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate.

For the Opposite Party/s : Mr.Ramesh Chandra, APP.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      15-05-2025                      Heard Mr. Bhavesh Kumar Sah, learned counsel  
  
appearing on behalf of the petitioner and Mr. Ramesh Chandra,  
  
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection  
with Khirhar P.S. Case No. 98 of 2024 registered for the offence  
punishable under Sections 274, 275, 317(5) and 3(5) of the  
BNS, 2023 and Section 30(a) of the Bihar Prohibition and  
Excise Act.

3. Allegation is of recovery of 9 litres of country made  
liquor from a motorcycle bearing Registration No. BR  
32AW2795. The petitioner is said to be the owner of the said  
motorcycle.

4. Learned counsel appearing on behalf of the  
petitioner submits that the petitioner has been falsely implicated



in the case due to enmity. She has no concern either with the seized liquor or trade of liquor in any manner. She had given her motorcycle to her son and she had no knowledge about the offence committed by her son misusing her motorcycle. The petitioner is a lady and she has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that there is complete failure of prohibition in the State of Bihar and due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the nature of allegation made against the petitioner and the fact that she was not present at the place of occurrence rather her son was apprehended along with the motorcycle, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of her arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of



learned Addl. Sessins Judge-II cum Special Judge, Excise Act, Madhubani / concerned court in connection with Khirhar P.S. Case No. 98 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS.

7. The 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 Para- 3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

**(Purnendu Singh, J)**

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