

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33942 of 2025

Arising Out of PS. Case No.-264 Year-2025 Thana- Excise P.S. District- Aurangabad

Shobha Singh W/o Umesh Singh, R/o Village- Mirzapur, Kandi, P.S.-
Nabinagar, District- Aurangabad (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Leelawati Kumari, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner is apprehending her arrest in connection with Excise P.S. Case No. 264 of 2025 dated 06.03.2025, registered for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, three persons travelling on motorcycle were apprehended by the Police and from a plastic bag in their possession, recovery of 3.375 litres of beer was made. One of the apprehended co-accused person namely, Ayush Singh disclosed the name of the petitioner who owned the motorcycle which was seized.

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



case. Petitioner has been named in this case merely because she is the owner of the motorcycle on which her son and two other co-accused persons were travelling. There is no material to show the involvement of the petitioner and no recovery of any incriminating article has been made from her. In these circumstances, no offence under the provision of Bihar Prohibition and Excise Act is made out against the petitioner. The learned counsel lastly submits that the petitioner is having clean antecedent

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and further considering her clean antecedent and possibility of false implication, let the petitioner above-named, in the event of her arrest or surrender before the Court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court, First, Aurangabad (Bihar), in connection with **Excise P.S. Case No. 264 of 2025**, subject to



the conditions as laid down under Section 482(2) of the
B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the
petitioner.

(ii) The petitioner will remain present on each and
every date fixed by the Court below, if so required by the
learned trial Court.

(Arun Kumar Jha, J)

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