

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34377 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- GWALPARA District- Madhepura

Bibi Akidan Wife of Md. Kiyam Resident of Village- Sakhauri, Ward No.- 8,
P.S.- Patarghat, District- Saharsa, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aniket Kumar Thakur, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-05-2025 Heard Mr. Aniket Kumar Thakur, learned counsel for
the petitioner and Mr. Pradeep Narain Kumar, learned APP for
the State.

2. The petitioner is apprehending her arrest in connection with Gwalpara P.S. Case No. 08 of 2025 for the offence under sections 30(a) of the Bihar Prohibition and Excise Act, 2022, lodged on 09.01.2025 by the informant, Rakesh Kumar Yadav.

3. As per the prosecution story, the informant alleged that motorcycle was intercepted and there is recovery/seizure of 50 litres country made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that she is a house wife, only because the vehicle was in her name, got implicated.



5. Learned APP opposes the prayer submitting that the motorcycle is in her name.

6. Taking into account the submissions of the parties as also that she is a lady having no criminal antecedent, recovery/seizure is not from her, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-V-cum-Special Judge Excise-I, Madhepura, in connection with Gwalpara P.S. Case No.08 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

(Rajiv Roy, J)

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