

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35092 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- KHIRHAR District- Madhubani

Kajal Kumari son of Upendra Sahni R/o - Parsauni, P.S - Bisfi Patauna,
District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Ms.Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Khirhar P.S. Case No. 16/2025 registered for the offences under Sections 274, 275, 371(5), 3(5) of B.N.S. and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution story, the police apprehended two persons carrying plastic bags on a scooty. They disclosed their names as Subhash Kumar Thakur and Kamalu Kumar Sharma. Upon search, 102 liters of Nepali country-made liquor was recovered from the scooty.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Learned counsel further submits that no illicit liquor was



recovered from the conscious possession of the petitioner. Learned counsel further submits that the petitioner is neither the owner nor the driver of the said scooty. It is lastly submitted that the petitioner has clean antecedent and is in custody since 20.04.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the petitioner is neither the owner nor the driver of the scooty from which illicit liquor was recovered and that the petitioner has clean antecedent, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned I/C Exclusive Special Judge, (Ex. Act), Madhubani in connection with Khirhar P.S. Case No. 16/2025 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates or



in violation of the terms of the bail, the bail bond of the petitioner will be liable to the cancelled by the court concerned.

d. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the aforementioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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