

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36653 of 2025

Arising Out of PS. Case No.-160 Year-2024 Thana- Excise P.S. District- Supaul

Amrita Kumari @ America Kumari @ America Devi (Female), aged about 30 years, D/O Kamal Yadav, wife of Jitendra Kumar, R/O Village-Maladh, Ward no 13, PS- Kishanpur, District- Supaul, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashish Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-06-2025 Heard Mr. Ashish Kumar Sinha, learned counsel appearing on behalf of the petitioner and Mr. Upendra Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Excise Supaul P.S. Case No. 160/2024 registered for the offence(s) punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 60 litres of illicit liquor was recovered from a motorcycle bearing Registration No.BR50C 7577, allegedly belonging to the petitioner.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. Learned counsel further submitted that during investigation, petitioner has been made accused being the owner of the said motorcycle. Admittedly, at the time of the alleged seizure and recovery of illicit liquor, petitioner was not present and the said motorcycle was being driven by co-accused Rahul Kumar, who is family friend of the petitioner and petitioner had no idea that that he was carrying liquor on the said motorcycle. Petitioner, who is a lady, has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR and also the fact that petitioner is a lady, having clean antecedent, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-2, Excise Act, Supaul / Concerned Court in connection with Excise Supaul P.S.



Case No. 160/2024, subject to the conditions as laid down under
Section 482(2) of the BNSS.

8. The learned 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 paragraph no.3 of the bail application, this order will
automatically lose its force.

(Purnendu Singh, J)

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