

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42278 of 2025

Arising Out of PS. Case No.-76 Year-2025 Thana- Excise P.S. District- Kishanganj

Champa Kumari W/O Sikandar Sahni @ Sikandar Mukhia, D/O Badri Mukhiya Resident of village- Chichora Bairia, Ward No. 12,P.S.- Bibiganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Chitra Dwivedi, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-07-2025 Heard learned Counsel for the petitioner and learned APP for the State.

2. The petitioner is apprehending arrest in connection with Special Case No. 81 of 2025 (arising out of Excise P.S. Case No. 76/2025) registered on 04.02.2025 for the offences punishable under Sections 30(a), 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution, total recovery of 375 ml Indian Made Foreign Liquor, loaded on a motorcycle, is the subject matter of the present case.

4. It is submitted by the learned counsel for the petitioner that the petitioner is innocent and has not committed any offence. Solely on account of being the registered owner of



the motorcycle from which the alleged recovery has been shown, the petitioner has been made an accused in the present case. In fact, it was the petitioner's husband who was driving the vehicle at the relevant time and he has already been apprehended. The petitioner has no criminal antecedents.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is clean.

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the Exclusive Special Judge, Excise-II, Kishanganj, in connection with Special Case No. 81 of 2025 (arising out of Excise P.S. Case No. 76/2025), subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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