

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61751 of 2025

Arising Out of PS. Case No.-4 Year-2025 Thana- Pahelja P.S. District- Saran

Khushboo Devi @ Khusboo Kumari Wife of Rakesh Kumar Resident of Near
Kharika Bazar, Ps- Pahleja, Dist- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending her arrest in connection with Pahleja P.S. Case No. 4/2025 registered for the offences punishable under Sections 30(a) and 37 of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of .360 ml. illegal wine from the Bullet motorcycle in question.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. The petitioner is not named in the FIR and her name has been surfaced in this case during course of investigation as the owner of the said bullet motorcycle. The petitioner bears no



criminal antecedent. He further submits that the husband of the petitioner had given the said Bullet motorcycle to their friends for some personal work and they misused the same. He further submits that the petitioner has no knowledge regarding the seized illicit liquor. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner is not in any way connected with the alleged occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned Court of 2nd Exclusive
Special Excise Judge, Saran at Chapra in connection with
Pahleja P.S. Case No. 4/2025, subject to the conditions as laid
down under Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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