

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61471 of 2025

Arising Out of PS. Case No.-261 Year-2019 Thana- BAISI District- Purnia

Punam Sah @ Punam Saha @ Punam Sha D/o Kailash Sao R/o Vill- Farsara,
Baidoria, Dalkhola, P.S.- Dalkhola, Distt- Uttar Dinajpur, West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Diksha Kumari, Advocate.
For the State : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending her arrest,
in connection with Baisi P.S. Case No.261 of 2019 dated
13.11.2019, registered for the offences punishable under
Sections 272, 273 of the Indian Penal Code and Sections 30(a),
41 and 47 of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation, 882 litres of illicit liquor has been
recovered from a pick up van and two persons including the
driver were apprehended on the place of recovery and in the
confessional statement of the co-accused arrested on the spot,
the name of Murshid Alam transpired as owner of the liquor and
as per the statement of Murshid Alam, the petitioner is also one
of the accomplices.



4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that entire case of the prosecution against the petitioner is based on confessional statement of co-accused and nothing has been recovered from possession of the petitioner. The petitioner has nothing to do with the alleged offence. He also submits that no *prima facie* case is made out against the petitioner and hence, the present petition is maintainable and the petitioner deserves to be enlarged on anticipatory bail.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has has been made accused in two other cases in which she is on bail.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the



date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with Baisi P.S. Case No.261 of 2019, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing her and getting satisfied that the petitioner has concealed her criminal antecedents despite her knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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