

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63213 of 2025

Arising Out of PS. Case No.-1037 Year-2024 Thana- Excise P.S. District- Kishanganj

Sahela Khatun, aged about 45 years (F), Wife of Nurul Islam, Resident of
Village- Sonakhoda, P.S. - Islampur, District - Uttar Dinajpur (W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-09-2025 Heard Mr. Ram Prawesh Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Sanjay Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Madya Nisedh P.S. Case No. 1037 of 2024 giving rise to
Special Case No. 1056 of 2024 registered for the offence
punishable under Sections 30 (a) and 32 (3) of the Bihar
Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 51 litres of country-
made liquor from a motorcycle bearing Registration No.
BR37S7362 belonging to the petitioner, which was parked on
the road near Mallah Basti.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated



in the present case simply because the vehicle from which the illicit liquor was recovered, is registered in her name. The motorcycle was parked on the road near Mallah Basti, which is an open place and easily accessible to anyone. Petitioner has no concern with the alleged seized liquor nor she is involved in trade of liquor in any manner. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

6. Considering the fact that the recovery of 51 litres of country made liquor from a motorcycle bearing Registration No. BR37S7362 belonging to the petitioner, which was parked on the road near Mallah Basti, which is an open place and easily accessible to any one, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/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 the learned District Court where the case is pending, in connection with Madya Nisedh P.S. Case No. 1037 of 2024, subject to the condition as laid down under



Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

8. The present bail application is disposed of.

(Purnendu Singh, J)

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