

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61918 of 2025

Arising Out of PS. Case No.-188 Year-2025 Thana- OBRA District- Aurangabad

Gudiya Devi @ Gudiya Kumari W/O Sumant Kumar R/O Vill.- Sohra Bigha,
P.S. Obra, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Adv.

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

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. Petitioner is apprehending arrest in connection with Obra P.S. Case No. 188 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, 20 liters country made mahua liquor was recovered from Hero Splendor motorcycle in question.

4. Learned counsel for the petitioner submits that petitioner is not named in the first information report and his name has surfaced during investigation as the owner of the motorcycle in question. Petitioner is innocent and has committed no offence as alleged in the first information report



and he has been falsely implicated in this case. It is submitted that petitioner's vehicle has been misused by the co-accused Sumant Kumar and she has no participation in the alleged crime. Petitioner has no concern with the alleged seized illicit liquor. Petitioner is not indulged in any kind of business related to illegal trade of liquor. Petitioner bears no criminal antecedent. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes 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 arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of District & Additional Sessions Judge-cum-Exclusive Special Judge, Exise-II, Aurangabad in connection with Obra P.S. Case No. 188 of 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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