

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64729 of 2025

Arising Out of PS. Case No.-240 Year-2025 Thana- Excise P.S. District- Lakhisarai

Shila Devi Wife of Kishan Choudhary Resident of Mohalla - Mirzapur Near
H.P. Gas Dodown, Police Station - Kasim Bazar, District - Munger. At present
resident of Village - Moula Nagar, Police Station - Suryagarha, District -
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Adv.
For the Opposite Party/s : Ms. Sucheta Yadav, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-09-2025 Heard the parties.

2. The petitioner apprehends her arrest in connection
with Lakhisarai P.S. Case No. 240 ^{C/2} of 2025 , registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. In course of patrolling, the police intercepted a
motorcycle rider and in course of search, total 2 litres of country
made liquor was recovered from the motorcycle.

4. Learned Advocate for the petitioner submitted that
the name of the petitioner has been implicated in this case only
on account of she being the registered owner of the motorcycle
in question. On the alleged date of occurrence, the motorcycle



was being driven by the son of the petitioner and the petitioner was not knowing this fact that her vehicle had ever been used for any illicit purpose. The petitioner is a woman having fair antecedent and no cogent material has collected during the course of investigation showing her complicity.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that use of the vehicle in the crime clearly speaks about her complicity.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the materials available on record, especially the fact that the petitioner is a woman having fair antecedent as also the absence of the material attracting rigors provided under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, let the petitioner abovenamed be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-VIIth-cum-Exclusive Special Excise Court No. 2, Lakhisarai in connection with Lakhisarai P.S. Case No. 240 ^{C/2} of 2025, subject to the



conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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