

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65120 of 2025

Arising Out of PS. Case No.-72 Year-2024 Thana- BALUA BAZAR District- Supaul

Lalita Devi, W/O Shatrughan Sada, Resident of Village- Jibachhpur, P.S.-
Bhimpur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Adv.

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 24-09-2025 1. Heard Mr. Kamal Kishore Singh, learned
counsel for the petitioner and Ms. Indu Kumari Srivastava
learned APP for the State.
2. The petitioner apprehends her arrest in connection
with S.T. Excise Case No. 4940 of 2024 arising out of Balua
Bazar P.S. Case No. 72 of 2024, dated 22.12.2024, registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.
3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is a lady though
she is the registered owner of the alleged vehicle from which
the recovery of the alleged liquor was made but it is not the case
of prosecution that more than one person was riding the
petitioner's motorcycle at the time of recovery and one



person namely, Dhirendra Jha was allegedly apprehended with the alleged liquor when he was driving the petitioner's motorcycle. It is further submitted that in fact the apprehended co-accused Dhirendra Jha is co-villager of petitioner who had taken the petitioner's motorcycle on the pretext of some urgent work and thereafter he misused the petitioner's motorcycle and the petitioner had no role or connection with the alleged offence of the Excise Act under which the FIR has been registered and the same does not even *prima facie* attract against this petitioner, hence, her prayer for anticipatory bail is not hit by the provisions of Section 76(2) of the Excise Act.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. In the facts and circumstances of this case as well as considering the submissions as stated above and coupled with petitioner's fair and clean antecedent, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of her arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with S.T. Excise Case No. 4940 of 2024 arising out of Balua Bazar P.S. Case No. 72 of 2024 on furnishing bail



bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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