

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68071 of 2025

Arising Out of PS. Case No.-187 Year-2025 Thana- BIRPUR District- Supaul

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Hema Kumari @ Hema Devi @ Fekni @ Fekni Devi, aged about 31 years,
Female, D/O Vishnudev Raut @ Vishudev Raut Resident of I Type Birpur
Ward No. 11, Police Station - Birpur, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-10-2025 Heard Mr. Arun, learned counsel appearing on

behalf of the petitioner and Mr. Uma Shankar Prasad Singh,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Birpur P.S. Case No. 187 of 2025 registered for the
offence(s) punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per the allegation made in the FIR, 5.4 litres of
illicit liquor was recovered from a bag allegedly thrown away
by the petitioner in the bushes after seeing the police party.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. He further submitted that



recovery of illicit liquor has been made from the bushes, which is an open space and is easily accessible by anyone. Petitioner has no concern either with the place of recovery or with the alleged recovered liquor.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and also the fact that recovery of illicit liquor has been made from the bushes, which is an open space and is easily accessible by anyone, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of 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 learned Concerned Court where the case is pending in connection with Birpur P.S. Case No. 187 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.



8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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