

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82359 of 2024

Arising Out of PS. Case No.-145 Year-2024 Thana- KHAJAULI District- Madhubani

Sunita Devi W/o Ganaur Ram Resident of Village- Sukki, Ward No 10, PS-
Khajauli, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Adv.
For the State : Mr. Pushpa Sinha, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 28-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 274, 275 of the B.N.S., 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, the recovery of total 45 litres of illicit liquor has been made from Hero HF Deluxe motorcycle and one Ram Kumar was also apprehended on the spot.

4. Learned counsel for the petitioner submits that no recovery was made from physical and conscious possession of the petitioner and she is not named in the FIR. It is further submitted that she has no concern either with the seized liquor or any trade of liquor. Her name has transpired in the present



case merely because she happens to be the registered owner of the seized vehicle. It is further submitted that the matter of fact is that the petitioner had given her motorcycle to her neighbour for his personal use and hence, she had no knowledge of keeping of the said liquor in her vehicle.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the fact that there is no recovery from physical and conscious possession of the petitioner and also that the petitioner has no criminal antecedent, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of her arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise Act, Madhubani in connection with Khajauli P.S. Case No. 145 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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