

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79661 of 2025

Arising Out of PS. Case No.-55 Year-2021 Thana- VISHAMBHARPUR District- Gopalganj

Babita Devi @ Babita Kumari W/O Rakesh Kumar R/O Village- Suryapura,
Surajpura, P.S- Basantpur, District- Siwan, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha1, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-12-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Vishwambharpur P.S.Case No.55 of 2021, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Allegation is of recovery of 3.600 litres of liquor from a plastic bag kept on the motorcycle bearing Registration No. BR28N 9003.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the present case. Petitioner is a lady and the said vehicle belongs in the name of her husband. The co-accused Abhishek



had borrowed the motorcycle from the husband of the petitioner for visiting his ailing relative. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused and confessional statement made before police has no evidentiary value.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the fact that the confessional statement of co-accused given in police custody has no evidentiary value, the petitioner, above named, be released on pre-arrest bail, in the event of his/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 the learned District & Addl. Sessions Judge IV cum Exclusive Special Excise II, Gopalganj in connection with Vishambharpur P.S. Case No.55 of 2021, subject to the condition as laid down under Section 482(2) of the BNSS.

7. The 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 Para-



3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J)

chn/-

U		T	
---	--	---	--

