

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79898 of 2025

Arising Out of PS. Case No.-353 Year-2025 Thana- Excise P.S. District- Rohtas

Pushpa Devi, W/o Phulenndra Chaudhary, R/o vill - Shivpur, P.s.- Nokha,
Distt.- Rohtas at Sasaram Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 03-12-2025 Heard Mr. Chhote Lal Mishra, learned counsel for the
petitioner and Mr. Ramesh Chandra, learned APP for the State.

2. The petitioner apprehends her arrest in connection with Sasaram Excise P.S. Case No. 353 of 2025 dated 23.09.2025 registered for the offence punishable under section 30(a) of the Bihar Prohibition & Excise Act (in short, 'Excise Act').

3. The main submissions advanced by petitioner's counsel are that the instant matter relates to the recovery of five litres of illicit country made liquor from the *dicky* of a motorcycle and admittedly at the time of recovery, the alleged motorcycle was being driven by one namely Raju Kumar, who happens to be the son of this petitioner, and the petitioner has been made accused mainly on account of being the registered owner of the said vehicle and it is not the case of the prosecution that the petitioner was riding with her son at the time of recovery on the alleged motorcycle and the petitioner's past is completely clean,



hence, the alleged offence of the Excise Act, under which the FIR has been registered, does not attract even *prima facie* against this petitioner.

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

5. In the facts and circumstances of this case and considering the above stated facts and mainly the petitioner’s clean antecedent and coupled with the fact that she has been made accused mainly on account of being the registered owner of the said vehicle, this Court is inclined to accept her prayer for anticipatory bail. Accordingly, let the petitioner named-above, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail 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 in connection with Sasaram Excise P.S. Case No. 353 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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