

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82619 of 2025**

Arising Out of PS. Case No.-828 Year-2024 Thana- WAJIRGANJ District- Gaya

Pinki Kumari W/o Manu Kumar D/o Vijay Paswan, Resident of village -
Naudiha Khurd, P.O - Wazirganj, P.S - Wazirganj, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabia Gulnaz, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER**

2 10-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Wazirganj P.S. Case No.828 of 2024, F.I.R dated 03.11.2024 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2012.

3. As per the prosecution case, the informant, an A.S.I. of Wazirgani Police Station, submitted a written report stating that on 03.11.2024, during a police patrol, they received secret information about the transportation of illicit country-made liquor. Acting on this tip, the police attempted to stop a person riding a motorcycle, but the rider escaped, abandoning the vehicle. Upon searching the Apache motorcycle



(Registration No. JH-12M-0109), the police recovered 70 litres of country-made Mahua liquor.

4. Learned counsel for the petitioner submits that the petitioner is a married lady and the vehicle in question was being driven by the husband at the time of commission of alleged offence and upon seeing the Police, fled away leaving the motorcycle in question from where illicit liquor to the tune of 70 liters is said to have been recovered. It has next been submitted that the petitioner has clean antecedent and is in no way connected with the seized articles and further, the mandatory provisions under the BNSS for search and seizure has also been violated.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration that the petitioner is a lady, has clean antecedent and is in no way connected with the seized articles and the illicit liquor has not been recovered from the constructive possession and / or premises belonging to the petitioner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on



anticipatory bail in the event of arrest or surrender before the court below 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 Court of Exclusive Special Excise Court No.5, Gaya, in connection with Wazirganj P.S. Case No.828 of 2024 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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