

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.993 of 2025

Arising Out of PS. Case No.-447 Year-2024 Thana- PATRAKARNAGAR District- Patna

Rekha Devi, aged about 30 years, Gender- Female, W/o- Raju Ram, resident
of Village-K-502, Hanuman Nagar, P.S-Patrakar Nagar, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Ramakant Singh, Advocate
For the Opposite Party/s : Mrs. Gulnar Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-02-2025 Heard Mr. Ramakant Singh, learned counsel

appearing on behalf of the petitioner and Mrs. Gulnar Begum,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Patrakar Nagar P.S. Case No. 447 of 2024 registered for the
offence punishable under Sections 132, 190, 191 (2) of the
Bharatiya Nyaya Sanhita (B.N.S.), 2023 and Sections 37, 45 of
the Bihar Prohibition and Excise Act as amended up-to-date.

3. As per the allegation made in the FIR, husband of
the petitioner, who was in drunken condition, had misbehaved
with the police officials, who were discharging their duty and he
was arrested having found to have consumed 303.1 mg/100 ml
liquor. Specific allegation against the petitioner is that she along
with other co-accused, had helped her husband in escaping, who



was arrested by the police.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR, rather, her name has transpired because she is the wife of the co-accused, who was arrested by the police. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that petitioner is not named in the FIR, rather, her name has transpired because she is the wife of the co-accused, who was arrested by the police, the petitioner, above named, is directed to 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. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise- 1st, Patna, in connection with Patrakar Nagar P.S. Case No. 447 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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