

Arising Out of PS. Case No.-387 Year-2025 Thana- MAJORGANJ District- Sitamarhi

Arising Out of PS. Case No.-387 Year-2025 Thana- MAJORGANJ District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 10-12-2025

1. Heard Mr. Santosh Kumar, learned counsel for the accused and Ms. Shaheen Begum learned APP for the

2. The petitioner apprehends her arrest in connection with Majorganj P.S. Case No. 387 of 2025 dated 08.10.2025 registered for the offences punishable under Section 317(5) of the BNS and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by the petitioner's counsel are that the petitioner is a lady, bearing no criminal antecedent though she is a registered owner of the motorcycle from which the alleged liquor was recovered but in fact the petitioner who is not named in the FIR, handed over her motorcycle to her co-villager one Raju Mahto who took the



petitioner's motorcycle on the pretext of taking his family members for medical treatment but later he misused the petitioner's motorcycle and further it is a not the case of prosecution that at the time of recovery any women was riding on the petitioner's motorcycle which in itself falsifies the prosecution's allegation as to petitioner's involvement in the trafficking of the alleged liquor, hence the alleged offence of Excise Act under which the FIR has been registered does not even prima facie attract against the petitioner, so, her prayer is not hit by the provision of Section 76(2) of the Excise Act. It is lastly submitted that the petitioner is a 20 year young lady.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner but fairly accepts that the petitioner has been made accused mainly on the ground of her being registered owner of the alleged motorcycle and the FIR has been registered against unknown.

5. In the facts and circumstances of the case and considering the above submissions coupled with the petitioner's fair and clean antecedent and her young age, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of her arrest/surrender before the learned court below within a period



of six weeks from today, be released on anticipatory bail in connection with Majorganj P.S. Case No. 387 of 2025 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, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Shailendra Singh, J)

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