

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84866 of 2025

Arising Out of PS. Case No.-342 Year-2025 Thana- AKBARPUR District- Nawada

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Puja Kumari Wife of Sanjay Rajbanshi Resident of Village- Lohanipur, P.S.-
Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 19-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest for the offences punishable under Section 30(a)/41 of the Bihar Prohibition and Excise Act.

3. A perusal of the first information report and the seizure list would go to show that total 275 liters of country made liquor has been recovered from a motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. As the motorcycle from which the recovery was made is in the name of the petitioner, hence the petitioner has been made accused in this case. As a matter of fact, the petitioner has given the motorcycle to her distant relative for some work. Petitioner is a lady. It is also a



fact that the petitioner was not caught on the spot and nothing has been recovered from the physical or conscious possession of the petitioner. There is violation of mandatory provisions of search and seizure.

5. Taking into consideration the facts and circumstances of the case and further that the petitioner is a lady and has no criminal antecedent, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned 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 the learned Court below where the case is pending/ successor Court in connection with Akbarpur P.S. Case No.342 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./Section 482 (2) B.N.S.S. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

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