

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1990 of 2025

Arising Out of PS. Case No.-320 Year-2020 Thana- KHAJEKALA District- Patna

Pushpa Kumari Wife of Kundan Singh @ Kundan Kumar Singh Resident of
Gurhatta, Patna City, P.S. - Khajekalan, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 23-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Section 414 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. The recovery of total 108 litres of country made liquor has been shown from two plastic bags kept in a motorcycle which was found in an abandoned condition.

4. Learned counsel for the petitioner submits that petitioner is a lady and she has no concern with either the motorcycle or the seized liquor. The name of this petitioner has surfaced in the case on account of the fact that the registered owner of the seized motorcycle has given a statement that he had sold the motorcycle to the petitioner. A supplementary



affidavit has also been brought on record by the petitioner that no such transfer of the said motorcycle has been made in the name of the petitioner in accordance with Sections 48 and 50 of the Motorcycle Vehicles Amendment Act, 2019. It is further submitted that there is no recovery from physical and conscious possession of the petitioner and she is a housewife who does not have any driving skill or any driving license in her name.

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

6. Considering the fact that petitioner is a lady and she has no criminal antecedent, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of her arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Patna City, Patna in connection with Khajekalan P.S. Case No. 320 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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