

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3824 of 2025

Arising Out of PS. Case No.-541 Year-2023 Thana- BAHADURPUR District- Darbhanga

Kamli Devi Wife of Sikandar Sahni Resident of Village - Ammadih, P.S -
Bahadurpur, District - Darbhanga (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-02-2025 Heard Mr. Vinay Kumar Mishra, learned counsel

appearing on behalf of the petitioner and Mr. Rabindra Kumar,

learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Bahadurpur P.S. Case No. 541 of 2023 registered under
Section(s) 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. As per the allegation made in the FIR, 22 liters of
country made liquor was recovered from a motorcycle bearing
Registration No.BR07AU-1825, Engine No.MBLHAW12
XNHD 45342 Chassis No. HA11EDNHD 80328, which is
registered in the name of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and she has



falsely been implicated in the present case. The petitioner has no concern either with the seized liquor or trade of liquor in any manner. Learned counsel further submitted that the driver of the said motorcycle is the husband of the petitioner, who has been apprehended and no recovery was made from the possession of the petitioner but being the owner of the seized motorcycle, she has been roped in the present case. The petitioner has clean antecedent. On these grounds, petitioner seeks to be released on bail.

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

6. Considering the nature of allegation made in the FIR against the petitioner, as well as, the fact that the recovery was not made from the possession of the petitioner and the petitioner is a lady, who is having clean antecedent, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of



learned Special Judge- Ist Excise, Darbhanga in connection with Bahadurpur P.S. Case No. 541 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. 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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