

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9186 of 2026

Arising Out of PS. Case No.-459 Year-2025 Thana- ISLAMPUR District- Nalanda

Renu Kumari W/o Braj Kishore Prasad R/o Village - Varvigaha (Barbigaha),
P.S - Islampur, District – Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mrs. Asha Devi

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending her arrest in connection with Islampur P.S. Case No. 459/2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 60 liters country made Mahua Wine from the motorcycle in question and one co-accused Nikku Kumar @ Santanu was apprehended on the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. He further submits that the petitioner is not named in the FIR. During the course of investigation, the name of the



petitioner has been transpired in this case as the owner of the seized motorcycle in question. He further submits that the petitioner is not in any way connected with the alleged occurrence. The petitioner was not found at the place of occurrence. He orally submits that the said motorcycle was misused by the apprehended co-accused Nikku Kumar @ Santanu who was the son of the petitioner, for carrying the illicit liquor and the petitioner cannot be held liable for the alleged recovery. The petitioner is a lady and bears no criminal antecedent. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner is the owner of the said motorcycle from which 60 litre country made Mahua liquor was recovered. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, petitioner is a lady, keeping in view clean antecedent of petitioner, petitioner was not found at the place of occurrence, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner



above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of learned Additional Session Judge-VII cum Special Judge Excise Court, Hilsa, Nalanda in connection with Islampur P.S. Case No. 459/2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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