

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12025 of 2026

Arising Out of PS. Case No.-981 Year-2025 Thana- Excise P.S. District- Kishanganj

Punam Sharma Wife of Suraj Kumar Sharma R/o Ward No. 28, Dharamganj,
P.S.- Kishanganj, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends her arrest in a case registered
for the offence punishable under Sections 30(a)/32(3) of Bihar
Prohibition and Excise (Amendment) Act, 2018-22.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman and
allegation is of recovery of 0.555 litre of liquor from a
motorcycle. It is next submitted that petitioner was not arrested
from the spot, as such, nothing was recovered from her
conscious possession and she came to be implicated based on
the fact that she is owner of the seized vehicle. It is next
submitted that no prudent person would use her own vehicle for
committing an occurrence and thus, would create evidence



against herself and hence, would get implicated. It is also submitted that petitioner was completely unaware that Rohit Kumar Sharma, her brother, would misuse the vehicle in the manner as alleged, who was also apprehended from the spot along with Badal Kumar Purve.

4. Learned A.P.P. opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on her furnishing bail-bond in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Judge Excise-II, Kishanganj in connection with Kishanganj Excise P.S. Case No.981 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bond of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, then it



would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed her antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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