

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24212 of 2026

Arising Out of PS. Case No.-19 Year-2026 Thana- BIKRAMGANJ District- Rohtas

Nilam Kumari @ Nilam Devi D/O Raj Kumar Ram Resident of Village-
Barna, P.S.- Rajpur, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Kant

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 22-04-2026 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bikramganj Excise Police Station Case No. 19 of 2026, dated 23.01.2026, disclosing offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, during vehicle check, saw a person coming on a motorcycle and on seeing the police, he started fleeing away, however the police arrested him and on search, the police recovered 5 litres of illicit country-made liquor kept in the jacket of the arrested co-accused person.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely because she happens to be the registered owner of the motorcycle in question. He further submits that the husband of the petitioner, who was arrested by the police along with the motorcycle and illicit liquor, was driving the motorcycle and she was not aware that the petitioner is carrying illicit liquor with him. He further submits that it is the case of the prosecution that only one person was present on the motorcycle, who was arrested by the police at the spot.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner is a lady, she has been made accused in this case merely because she happens to be the registered owner of the motorcycle in question, arrested co-accused, who is the husband of the petitioner, was in possession of the motorcycle in question, at the relevant time and the petitioner has got no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.



7. 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 Excise Court No. I, Rohtas, at Sasaram, in connection with Bikramganj Excise Police Station Case No. 19 of 2026 (Excise Case No. 213 of 2026), subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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