

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42415 of 2026

Arising Out of PS. Case No.-174 Year-2026 Thana- TURKAULIYA District- East
Champaran

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Nitu Kumari @ NItu Singh W/o Shiv Prakash Singh R/o Village- Nawadiya
Road, P.S.- Banwara Janpat, District- Jaunpur, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Adv.
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Turkauliya P.S. Case No. 174 of 2026 lodged on 03.04.2026, for the offence punishable under Sections 274, 275, 123, 105, 110, 111(2) & 61(2) of the Bharatiya Nyaya Sanhita, 2023 and sections 33, 34(a), 34(b), 34(b)(i), 34(b)(ii), 34(b)(iii), 34(b)(iv) & 36 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against 11 named accused persons excluding the present petitioner. The allegation of selling illegal wine by spirit is there in the FIR and due to consumption of the spirit, certain people died.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner is not named in the FIR and her name has come by virtue of the confessional statement of the co-accused. He submits that there is no material found against the petitioner. He further submits that the name of petitioner has figured in this case at the instance of police only due to the reason that the petitioner is sister of co-accused Chandan Kumar and Suraj Kumar and the said Suraj Kumar has five criminal antecedents. Counsel submits that the petitioner has no role either in preparation or distribution or keeping the said spirit and she has unnecessarily been made accused in this case. He further submits that the petitioner is a female, aged about 37 years, having clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that the petitioner is not named in the FIR, she is female and her name has come by virtue of the confessional statement of the co-accused.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of



Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Exclusive Special Excise Judge-I, East Champaran, Motihari, in connection with Turkauliya P.S. Case No. 174 of 2026, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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