IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76248 of 2026

CNR No. BRHC011067762026

Arising Out of PS. Case No.-37 Year-2026 Thana- BARDAHA District- Araria

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Pinki Kumari W/o Mithilesh Kumar Resident of Village - Karahbari Ward No. 3 (Benga), Police Station - Bardaha District - Araria

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends arrest in connection with Bardaha P.S. Case No. 37 of 2026 lodged on 26.07.2026, for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, FIR has been lodged against owner and driver of a motorcycle. Total recovery of 17.700 litres of *nepali* liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits

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that nothing has been recovered from the conscious possession of the petitioner and the alleged recovery has been made from a motorcycle. Counsel further submits that name of the petitioner has figured in this case only due to the reason that she is the owner of the seized motorcycle. Counsel further submits that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that the petitioner has clean antecedent.

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 Judge Excise-II, Araria, in connection with Bardaha P.S. Case No. 37 of 2026, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. The Trial Court is directed to verify the criminal antecedent(s) of the petitioner, and in case, it is found at any stage that the petitioner has concealed the fact about her criminal antecedent(s), the Trial Court shall take steps for

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cancellation of bail bond of the petitioner. However, the acceptance of the bail bonds in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J)

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