

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1986 of 2025

Arising Out of PS. Case No.-362 Year-2022 Thana- Excise P.S. District- Madhepura

Kavita Devi W/o Vikash Kumar @ Vikash Yadav R/o Village- Sahugadh
(Sahugarh), Ward No.- 08, Bazar Tola, P.S- Madhepura, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Adv.

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 23-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. From a perusal of the FIR as also the seizure list, it would appear that the recovery of total 13.50 litres of country made liquor has been made from a bag which is kept in the courtyard of accused Vikash Kumar who was arrested on the spot.

4. Learned counsel for the petitioner submits that the petitioner is a lady and has been made an accused only on account of the fact that the recovery has allegedly been made from the possession of her husband Vikash Kumar. It is further



submitted that no recovery has been made from the physical or conscious possession of the petitioner and she has no role whatsoever in any sale or purchase of liquor.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering all the facts and circumstances of the case as well as the clean antecedent of the petitioner, I am inclined to extend the privilege of anticipatory bail to the petitioner. 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 Additional Sessions Judge, VIIth cum Special Judge, Excise-II, Madhepura in connection with Madhepura Excise P.S. Case No. 362 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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