

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1635 of 2025

Arising Out of PS. Case No.-362 Year-2024 Thana- ROH District- Nawada

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Rubia Devi, W/o Shrichand Ram @ Shrichandra Ram, Resident of Village-
Bhandari, P.S.- Roh, District-Nawada. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and
apprehending her arrest in connection with Roh P.S. Case
No.362 of 2024 registered under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 25 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel that the
recovery of alleged illicit liquor not appears to be made from
conscious physical possession of the petitioner rather the
same was recovered from house occupied by other family
members also and, therefore, it cannot be said safely that



recovery was made from possession of the petitioner. It is pointed out that name of petitioner transpired on the basis of disclosure made by local Choukidar. It is pointed out that petitioner is a lady of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submissions, as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner rather, who is a lady of clean antecedent, accordingly, the petitioner, above-named, is directed to be released on bail, in the event of her arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-2, Nawada in connection with Roh P.S. Case No.362 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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