

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8475 of 2025

Arising Out of PS. Case No.-240 Year-2024 Thana- HARLAKHI District- Madhubani

Punam Devi @ Punam Sahni W/o Bhola Sahni Resident of village-
Bundelkhand, Ward No 10, Police Station- Basopatti, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesk Kumar Sah

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 15-02-2025 1. Heard the parties.

2. The petitioner apprehends her arrest in connection with Harlakhi P.S. Case No. 240 of 2024 arising out of G.R. Case No. 1292 of 2024 dated 11.09.2024 registered under Sections 274, 275, 3(5) of the B.N.S., 2023 and Section 30(a) of the Bihar Prohibition and Excise Act , 2022 (Amended).

3. The prosecution case as per the first information report is that the Police on the basis of secret information that the petitioner along with other co-accused persons are transporting illicit liquor from Nepal, reached the place of occurrence. On seeing the Police party the accused persons threw the jute sack on the canal near orchard and started fleeing away, however, two persons namely, Geeta Devi and Sarita Devi were apprehended. Upon search, Police recovered 348 liters of Nepali



illicit liquor from the canal.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. The petitioner has been made accused on the basis of disclosure of her name by the arrested co-accused person. He further submits that illicit liquor has not been recovered from the conscious possession and / or premises belonging to the petitioner rather the same has been recovered from the canal, which is an open space and is accessible to all and sundry. Similarly situated co-accused / Rajnish Mahto @ Rajnish Kumar, Sukho Devi and Ranju Devi have been granted anticipatory bail by this court in Cr. Misc. No. 83891 of 2024.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation, the fact the illicit liquor has been recovered from an open space easily accessible to everyone and similarly situated co-accused persons have been granted anticipatory bail, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with



two sureties of the like amount each to the satisfaction of 2nd
Addl. District and Sessions Judge cum Special Judge Excise
Act, Madhubani in connection with Harlakhi P.S. Case No. 240
of 2024, G.R. Case No. 1292 of 2024 subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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