

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5919 of 2025

Arising Out of PS. Case No.-250 Year-2024 Thana- DHAKA District- East Champaran

Radhika Devi, W/o Langtu Mukhiya @ Langru Mukhiya, Resident of Village-
Barharwa Sivan, P.S.- Dhaka, District- East Champaran, Motihari

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-02-2025 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 Dhaka P.S. Case No.250 of 2024 registered under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 6.9 liters of IMFL/country-made liquor from a bag.

4. It is submitted by learned counsel appearing for petitioner that as per the allegation, the petitioner thrown a bag, which alleged to carrying illicit liquor. It is pointed out



that as per seizure list, the liquor in issue was recovered from an open place and nothing transpired till now to connect the petitioner with seized bag, which is said to be used for carrying liquor. It is submitted that as the petitioner was found running seeing police, under suspicion, she was named with present recovery of illicit liquor. It is submitted that petitioner found involved in four more criminal cases of similar nature, whereas she is on bail in three cases.

5. Learned APP while opposing the prayer of bail submitted that petitioner is a lady of criminal antecedent.

6. In view of aforesaid factual submissions and by taking note of fact as recovery of alleged illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, who is a lady, 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 No.3, Civil Court, East Champaran, Motihari in



connection with Dhaka P.S. Case No.250 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(i) That petitioner shall not indulged in similar nature of cases till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for cancellation of bail bond of the petitioner.

(Chandra Shekhar Jha, J.)

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