

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5500 of 2025**

Arising Out of PS. Case No.-328 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/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Adv
For the Opposite Party/s : Mr. Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 19-02-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in the F.I.R.

and apprehended her arrest in connection with Dhaka P.S.

Case No. 328 of 2024 registered for the offences punishable

under Section 30 (a) and 41 of the Bihar Prohibition and

Excise Act.

3. The allegation against the petitioner is to be

engaged in illegal trading/manufacturing of illicit liquor,

where, there is recovery of 81.3 litres of IMFL/country made

liquor.



4. Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was admittedly made from an open place, which is easily accessible by general public and as this petitioner found involved in four more criminal cases of similar nature, where she is on bail and on the basis of suspicion arising out of said criminal antecedents, she was implicated with the present case also. It is also submitted that merit of this case appears in favour of petitioner therefore, solely on the ground of criminal antecedents the bail of petitioner cannot be refused. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court in the matter of **Prabhakar Tewari Vs. State of Uttar Pradesh and Another, (2020) 11 SCC 648.**

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and by taking note of the fact as recovery of illicit liquor was made from an open place easily accessible by general public, accordingly the petitioner above named, who is a lady, in the



event of her arrest or surrender before the learned trial court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 3, East Champaran, Motihari/concerned trial court where the case is pending in connection with Dhaka P.S. Case No. 328 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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