

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7211 of 2025

Arising Out of PS. Case No.-166 Year-2024 Thana- DEV District- Aurangabad

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Anita Devi @ Anita Kumari @ Devi D/o- Ramji Yadav Village- Patna Po-
War Ps- Madanpur Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 19-02-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The present Cr. Misc. Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends her arrest in connection with Deo P.S. Case No. 166 of 2024 lodged on 07.08.2024, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 25 litres of illicit liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel submits that petitioner's name has been inserted in this case due to the reason that she is the owner of the seized motorcycle upon which illicit liquor was being carried by the co-accused persons. Counsel submits that petitioner is a lady and the said motorcycle was gifted by her father which was being used by her husband though, husband is not accused, but friend of the husband took the motorcycle without giving knowledge to her for carrying the illicit liquor. Counsel submits that in future, petitioner shall be careful that her motorcycle is not taken by anyone. Counsel further submits that petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that petitioner has no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Special Judge Excise-I, Aurangabad, in connection with Deo P.S. Case No. 166 of 2024, subject to the



conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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