

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8820 of 2025**

Arising Out of PS. Case No.-158 Year-2024 Thana- Panchanpur District- Gaya

Pinki Kumari, Wife of Nagina Choudhari, D/o Late Lakhan Chaudhari,
Resident of Village - Fatehpur, P.S.- Panchanpur, District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shashi Saurabh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 07-03-2025 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 Panchanpur P.S. Case No.158 of 2024 registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 10 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that recovery of alleged illicit liquor was made



from the roof of the house of this petitioner, which is jointly occupied by different adult family members. It is submitted that compliance of Section 103(4) of the Bhartiya Nagrik Suraksha Sanhita (in short 'BNSS') not appears to be followed in present case, which is mandatory otherwise regarding search of house/premises. It is submitted that in view of same, entire search and seizure appears doubtful. It is submitted that the petitioner is a lady of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, 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 Excise Judge No.2, Gaya in connection with Panchanpur P.S. Case No.158 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.)

Sanjeet/-

U		T	
---	--	---	--

