

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8412 of 2025**

Arising Out of PS. Case No.-268 Year-2024 Thana- KARPI District- Jehanabad

Ramratiya Devi, Wife of Late Sanjay Chaudhary, Residence of village - Bazid  
Pur, P.S.- Karpi, Dist.- Arwal

... .. Petitioner,

Versus

The State of Bihar

... .. Opposite Party,

**Appearance :**

For the Petitioner/s : Mr. Nityanand Neeraj, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

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

2      06-03-2025      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 Karpi P.S. Case No.268 of 2024 registered under Sections 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 4.5 liters of IMFL/country-made liquor/mahua liquor.

4. It is submitted by learned counsel that the recovery of alleged illicit liquor was made from the roof of the



house belongs to this petitioner, which is an open place and accessible by general public. It is submitted that the house is issue also occupied by several other family members and, therefore, a search was required as per provision of Section 103(4) of the Bhartiya Nagrik Suraksha Sanhita (in short 'B.N.S.S.'), which not appears to be followed and in view of same, entire search and seizure appears bad in eyes of law. While concluding argument, it is submitted that petitioner is a lady of clean antecedent.

5. Learned APP opposed the prayer for bail of the petitioner.

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 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 Special Judge Excise-II, Jehanabad in connection with Karpi P.S. Case No.268 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/-

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