

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8405 of 2025

Arising Out of PS. Case No.-528 Year-2024 Thana- AKBARPUR District- Nawada

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Bedamiya Devi W/o Mahendra Rajbanshi R/o Village- Harana, PS- Akbarpur,
Distt- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Suruchi Anand

For the Opposite Party/s : Mr. Nitya Nand Tiwary

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 07-05-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, there is a recovery of 12 liters of country made Mahua liquor from outside the house of the petitioner and the allegation is that the petitioner had thrown away the liquor contained in a plastic bag.

4. Learned counsel for the petitioner submitted that the petitioner is a lady and she is not concerned with the recovery of the alleged liquor and no recovery has been made from the conscious and physical possession of the petitioner. The



mandatory provisions of search and seizure has also been violated as there is no independent witness to the said seizure list.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail on account of the fact that she has one criminal antecedent of the same nature, in response to which, it is submitted that the petitioner is on bail in both the cases.

6. Considering the above facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1, Nawada, in connection with Akbarpur P.S. Case No.528 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and and subject to the further condition that:-

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification



process would be done expeditiously without causing any
delay.

(Soni Shrivastava, J)

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