

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10255 of 2025**

Arising Out of PS. Case No.-148 Year-2024 Thana- BALIA BELON District- Katihar

Jogani Devi Wife of Vikash Mahto Resident of Village- Maliniya, P.S. -  
Kursela, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      21-02-2025              Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with Balia  
Belon PS Case No. 148 of 2024, G.R. No. 6470 of 2024  
instituted for the offences under Sections 30(a) and 41 of the  
Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that total 116.28  
litres of foreign liquor was recovered from Tempo.

4.      Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered from  
the conscious possession of the petitioner. The petitioner has got  
no concern with the alleged recovery of liquor. It is submitted  
that petitioner is neither the owner nor the driver of the seized



vehicle. It is further submitted that petitioner is sitting as a passenger in the vehicle and she has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 04.12.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail by this Court *vide* order dated 13.02.2025 passed in Cr. Misc. No. 6736 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Balia Belon PS Case No. 148 of 2024, G.R. No. 6470 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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