

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15384 of 2025

Arising Out of PS. Case No.-532 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

Prabha Devi wife of Rajendra Chaudhari Ressident of vill- Baluwa chikpatti,
p.s- Town Motihari , Dist-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 2 02-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner has preferred this application for
grant of anticipatory bail apprehending her arrest in connection
with Motihari Town P.S. Case no.532 of 2024 registered under
section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. As per the prosecution case, a secret information
having been received that the petitioner is involved in the
business of liquor, the police party conducted raid and a total of
46 liters of country made liquor was recovered from the house
of the petitioner. However, seeing the police personnel, it is said
that the accused managed to escape.
4. Learned counsel for the petitioner submits that the



petitioner is a lady who has been falsely implicated in the case. No recovery has been made from the conscious possession of the petitioner and the recovery has been shown from her house which is a joint family property and the petitioner has no knowledge as to whom the concerned liquor belongs. Learned counsel for the petitioner further submits that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.N.S. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Considering the fact that the alleged recovery was made from the house of the petitioner which is a joint family property and the petitioner has no criminal antecedent, it is directed that the petitioner, above named, in the event of her arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Motihari Town P.S. Case no.532 of 2024 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 Special Judge, Excise Court No. 1, East



Champaran at Motihari, 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 subject to the further condition that she shall co-operate in investigation/trial.

(Soni Shrivastava, J)

Harsh/-

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