

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21502 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- BOCHAHAN District- Muzaffarpur

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Aarti Devi Wife of Ajay Kumar Resident of Village - Sahila Rampur, P.S. -
Bochahan, District - Muzaffarpur, presently residing at Village - Hathauri,
P.S. - Hathauri, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mrs. Sangeeta Sharma, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Bochahan P.S. Case No. 16 of 2025 lodged on 19.01.2025,
for the offence punishable under Sections 30(a), 32, 36 & 41(1)
of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 3789 litres
of illicit liquor has been made which is the subject matter of the
present case.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that name of the petitioner has been inserted in this case



only due to the reason that the petitioner is the owner of the said pick-up van from which the alleged recovery has been made. Counsel submits that the said pick-up van was completely under control of the petitioner's husband who has also been made accused in this case and he was apprehended by the police. Counsel submits that the petitioner was completely unaware and unknown from the fact that her vehicle was used in carrying liquor. Counsel submits that the petitioner's husband was apprehended and subsequently, granted bail. Counsel further submits that petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that huge quantity of illicit liquor has been recovered from a vehicle which is registered in the name of petitioner.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 4 weeks from today. In case, the petitioner surrenders within four weeks, then the Trial Court is directed to pass order on her surrender-cum-bail application on the same day without being prejudice that the anticipatory



bail of the petitioner has been rejected by this Court and the
Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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