

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16790 of 2025**

Arising Out of PS. Case No.-345 Year-2024 Thana- RAGHUNATHPUR District- Siwan

Akali Devi Wife of Raj Mangal Bin Resident of Village- Admapur PS
-Raghunathpur, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Dilip Kumar No. 1

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER**

2 02-04-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The present application is for grant of anticipatory
bail, in connection with Raghunathpur P.S. Case No.345 of 2024
for offences under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

3. From the Perusal of First Information Report and
also the Seizure List, would go to show that a total recovery of
6.5 litres of mahua Liquor was made from an open space in
front of the house of the petitioner as also in front of a pond,
which was concealed by straw.



4. Learned counsel for the petitioner submits that no recovery has been made from the conscious possession of the petitioner and the seizure list would itself demonstrate that the said recovery has been made from an open space which is accessible to everybody. There is no independent witness on the search and seizure and it is two constables of the raiding party, who are witnesses to the said seizure list.

5. Learned APP, however, has submitted that the petitioner is accused in two other cases, one of which is of similar nature, however, learned counsel for the petitioner submits that he is on bail in the said case.

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 No.II, Siwan, in connection with Raghunathpur P.S. Case No.345 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 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 before releasing him on bail.

(Soni Shrivastava, J)

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