

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21517 of 2025

Arising Out of PS. Case No.-229 Year-2024 Thana- MEHSI District- East Champaran

Kismatiya Devi Wife of Late Ramnath Sahani R/O Semra, PS- Mehshi,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Ranjana Srivastava, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P

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 Mehshi P.S. Case No. 229 of 2024 lodged on 21.12.2024, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner. Total recovery of 60 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 the petitioner was not arrested from the place of occurrence and due to dirty village politics, her name has been figured in this case. Counsel submits that nothing has been



recovered from the petitioner's possession and as such, no offence under the Excise Act is made out against the petitioner. Counsel further submits that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that the petitioner has no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Excise Court no.3, East Champaran, Motihari, in connection with Mehsi P.S. Case No. 229 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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