

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21165 of 2025

Arising Out of PS. Case No.-317 Year-2024 Thana- HARLAKHI District- Madhubani

Mamta Devi W/o Vindeshwar Mahto @ Vindeshwar Kumar Mahto R/o
Village- Umgaon, PS- Harlakhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Adv. Mr. Vinod Kumar, Adv. Mr. Rajesh Kumar, Adv.
For the Opposite Party/s :		Mr.Sangeeta Sharma

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 present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends his arrest in connection with Harlakhi P.S. Case No.317 of 2024 lodged on 12.12.2024, for the offences punishable under Sections 274, 275 and 3(5) of the BNS, 2023 read with section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, the allegation of total 9 liters of illicit nepal liquor been recovered at the house of the



petitioner, which is subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner has been falsely implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner and she lives in joint family.

5. Counsel submits that the criminal antecedent of the petitioner is clean. He further submits that another co-accused person has been granted bail by the Co-ordinate Bench of this Court vide order dated 07.03.2025 passed in Cr. Misc. No.9111 of 2025.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is clean.

7. 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 learned Court below 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 Addl. Sessions Judge-II,-cum-Special Judge, Excise Act, Madhubani in connection with Harlakhi P.S. Case



No.317 of 2024, subject to the conditions as laid down U/s
482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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