

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22106 of 2025

Arising Out of PS. Case No.-336 Year-2024 Thana- Excise P.S. District- Madhubani

Rekha jha @ Rekha Devi S/o- Arun jha Village- Habibhauar W. no- 2 P.S-
Bahera Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Adv.
For the State : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 10-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. The FIR and the seizure list would show that a total of 81 litres of Nepali liquor has been recovered from a tempo.

4. Learned counsel for the petitioner submits that no recovery was made from physical and conscious possession of the petitioner. Her name has surfaced in this case on account of the fact that she happens to be the owner of the seized tempo, however, it is submitted that the said tempo was being driven by the son of the petitioner at the relevant time and he was arrested on the spot with two other co-accused persons. It is



next submitted that the petitioner is noway concerned with the alleged recovery and the seized liquor and she has clean antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail.

6. Considering the entire facts and circumstances, let the petitioner, above named, in the event of her arrest or surrender before the Court below within four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Town Excise P.S. Case No. 336 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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