

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25572 of 2025

Arising Out of PS. Case No.-33 Year-2024 Thana- JHAROKHAR District- East Champaran

1. Sunita Devi @ Sabita Devi W/O Ramjanam Paswan @ Ramjanm Hajra R/O Village- Athmuhan Mushar Toli, P.S- Jharaukhar, Distt.- East Champaran.
2. Biskumari Devi W/O Shivjanam Paswan R/O Village- Athmuhan Mushar Toli, P.S- Jharaukhar, Distt.- East Champaran.
3. Basmatiya Devi @ Basmati Devi W/O Late Shivbachan Paswan R/O Village- Athmuhan Mushar Toli, P.S- Jharaukhar, Distt.- East Champaran.
4. Sangita Devi W/O Shivsharan Paswan R/O Village- Athmuhan Mushar Toli, P.S- Jharaukhar, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-05-2025

1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Jharokhar Police Station Case No. 33 of 2024, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on 05.11.2024, during patrolling, the police party received secret information that the petitioners have stored illicit liquor in their house for the purpose of selling it. Upon such information, the police



proceeded towards the place of occurrence and on seeing the police party, some women started fleeing away and succeeded in the same. On search, total 46.9 liters of illicit liquor has been recovered from the husk house of the petitioners. The Mahal Chowkidar disclosed the name of the petitioners who succeeded in fleeing away and also disclosed that the petitioner used to bring illicit liquor from Nepal and sell it.

4. Learned Counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in the present case due to police mechanism and maneuvering. Petitioners have not been arrested from the spot and nothing has been recovered from the conscious possession of the petitioners. The illicit liquor has been recovered from the straw house situated outside of the house of the petitioners.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioners are having no criminal antecedent except petitioner no. 3 who has one criminal antecedent but not of the similar nature of offence and illicit liquor has been recovered from the straw house situated outside the house of the petitioner, I am inclined to grant the petitioners privilege of anticipatory



bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their 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. 3, Motihari, East Champaran, in connection with Jharokhar Police Station Case No. 33 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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