

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34209 of 2025

Arising Out of PS. Case No.-210 Year-2024 Thana- DELHA District- Gaya

Saraswati Devi W/o Bigu Paswan Resident of Mallah Tali, P.S.- Muffasil
Manpur, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending her arrest in connection with Delha P.S. Case No. 210 of 2024 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to have in possession of 42 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that name of petitioner transpired on the basis of disclosure made by apprehended co-accused namely, Ankit Kumar. It is submitted that alleged illicit liquor, as per seizure list, recovered from one Toto vehicle bearing Registration No. BR02ER-



5119, which is a public transport system, therefore, it can be safely said that recovery of illicit liquor was not made from conscious physical possession of this petitioner, who claims to be a lady of clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, who is a lady of clean antecedent, accordingly, above-named petitioner, in the event of her arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-IV, Gaya in connection with Delha P.S. Case No. 210 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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