

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26538 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- SIRDALA District- Nawada

Lalita Devi Wife of Devanand Chaudhary @ Fukan Chaudhary Resident of
village - Bhatt Bigha, P.S.- Sirdala, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary
For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending her arrest in connection with Sirdala P.S. Case No. 26 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, 40 litre country made mahua liquor was recovered from the broken house of the petitioner and she succeeded in fleeing away from the place of occurrence.

4. Learned counsel for the petitioner submits that the place of recovery is broken house which is accessible to all and petitioner cannot be held liable for the alleged recovery. Seizure list has not been made as per the law. Petitioner was not



found at the place of occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovery. Petitioner is innocent and has committed no offence as alleged in the FIR and she has falsely been implicated in this case. Petitioner being a lady having no criminal antecedent. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, petitioner being a lady having no criminal antecedent,, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise, Court No. 1, Nawada in connection with Sirdala P.S. Case No. 26 of 2025, subject to the conditions as laid down



under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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