

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29917 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- MANSI District- Khagaria

1. Renu Devi W/o TaranYadav @ Tarun Yadav Resident of Village- Ekania, PS- Mansi, District- Khagaria
2. Mausam Devi W/o Sintu Yadav Resident of Village- Ekania, PS- Mansi, District- Khagaria
3. Kajal Devi W/o Lalo Yadav Resident of Village- Ekania, PS- Mansi, District- Khagaria
4. Sabita Devi W/o Babu Saheb @ Babua Resident of Village- Ekania, PS- Mansi, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Mansi P.S. Case No. 42 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, informant received secret information that co-accused Taran Yadav had kept illicit liquor in his bamboo orchard (basa) for sale at village Ekania. Thereafter, informant alongwith police officials reached at the



spot and recovered 15 litre country made chulai liquor from the place of occurrence. It is alleged that spy disclosed the name of the petitioners and others who fled away from the place of occurrence.

4. Learned counsel for the petitioners submits that the place of recovery from where the alleged recovery has been made is an open place which is accessible to all and petitioners cannot be liable for the alleged recovery. Petitioners are ladies. No incriminating article has been recovered from their conscious possession. Petitioners were not found at the place of occurrence. Petitioners are innocent and have committed no offence as alleged in the FIR and merely on the basis of suspicion they have falsely been implicated in this case. Petitioner no. 2 bears criminal antecedent of one case which is not similar to the present case. Except petitioner no. 2, petitioners bear no criminal antecedent. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioners 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 petitioners.

6. Considering the facts and circumstances of the



case, petitioners are ladies, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Ist, Khagaria in connection with Mansi P.S. Case No. 42 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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