

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32316 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- ADAPUR District- East Champaran

Rambha Devi W/o Gopi Paswan R/o Vill.- Shyampur, P.S.- Aadapur, District-
East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
		Ms. Rinki Kumari, Advocate
For the Opposite Party/s :		Mr. Anant Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending her arrest in connection with Adapur P.S. Case No. 35 of 2025 registered for the alleged offence under Section 30(a) of Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, police received information about petitioner indulging in trade of illicit liquor. A raid was conducted and on seeing the police party, one lady and two males started running away. They were chased, but the police could not catch them. From a place behind the house of the petitioner, recovery of 36 liters of country made *Nepali* liquor was made. The villagers and the *Chowkidar* named this



petitioner and to other co-accused persons, who fled away from the spot on seeing the police party.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner. The recovery has been shown from an open place, which is accessible to all and the petitioner has no concern with the seized liquor. For this reason, no offence under the provisions of Bihar Prohibition & Excise Act is made out against the petitioner. The petitioner is having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and further considering her clean antecedent and the possibility of false accusation, let the petitioner above named, in the event of her arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Excise Court No. 2,
East Champaran at Motihari in connection with Aadapur P.S.
Case No. 35 of 2025, subject to the condition laid down under
Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of
the petitioner.
- (ii) The petitioner will remain present on each
and every date fixed by the court below, if so
required by the learned trial court.

(Arun Kumar Jha, J)

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