

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33232 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- SUGAULI District- East Champaran

1. Sushila Manjhi W/o Shivshankar Manjhi Resident of Vill.- Chhapwa Mushahari Tola, P.S.- Sugauli, Distt.- East Champaran
2. Chinta Devi W/o Late Jokan Manjhi @ Jokhan Manjhi Resident of Vill.- Chhapwa Mushahari Tola, P.S.- Sugauli, Distt.- East Champaran
3. Lalmati Devi @ Jayanti Devi @ Lalmati Kuwar W/o Late Laxman Manjhi @ Laxaman Chaudhary Resident of Vill.- Chhapwa Mushahari Tola, P.S.- Sugauli, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore Alias Kundan Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioners are not named in the

F.I.R. and apprehended their arrest in connection with Sugauli

P.S. Case No. 13 of 2025 registered for the offences

punishable under Sections 30 (a), 45 and 37 of the Bihar

Prohibition and Excise Act.

3. The allegation against the petitioners is to be

engage in illegal trading/manufacturing of illicit liquor, where,

there is recovery of 27 litres of IMFL/country made liquor.



4. Learned counsel appearing on behalf of the petitioners submitted that recovery of illicit liquor was made from apprehended co-accused persons namely Abbas Miyan, thereafter on the basis of disclosure and on the suspicion as raised by local chowkidaar name of petitioners were implicated in the present case. It can be safely said that recovery of alleged illicit liquor not appears to be made from the physical possession of petitioners. It is submitted that one of the reason for implication of petitioners in the present case is their criminal antecedents. While concluding the argument it is submitted that petitioner no. 1 is a lady of clean antecedent, petitioner no. 2 found involved in two more cases of similar nature, where she is on bail and petitioner no. 3 found involved in one more case of similar nature, where she is on bail.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and by taking note of the fact as recovery of illicit liquor prima-facie not appears to be made from the conscious physical



possession of these petitioners, who are ladies, accordingly all above named petitioners, in the event of their arrest or surrender before the learned Trial Court within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-1, Motihari, East Champaran/concerned Trial Court where the case is pending in connection with Sugauli P.S. Case No. 13 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS, with further condition:-

(i) That petitioners shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioners.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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