

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33186 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- Bhelahi District- East Champaran

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Asha Devi W/O Rampukar Chaudhary Village- Bhelahi, P.S.- Bhelahi,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Ranjan

For the Opposite Party/s : Mr.Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

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

the petitioner and learned Additional Public Prosecutor

appearing on behalf of the State.

2. The accused/petitioner is named in the

F.I.R. and apprehended his arrest in connection with

Bhelahi P.S. Case No. 08 of 2025 registered for the

offences punishable under Section 30 (a) of the Bihar

Prohibition and Excise Act.

3. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor,

where, there is recovery of 10 litres of IMFL/country



made liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that recovery of alleged illicit liquor was made from the house of petitioner, who is a lady. It is pointed out that the house in issue was occupied by different adult members of the family. It is further submitted that compliance of Section 103(4) of the BNSS not appears followed in the present case making entire search and seizure doubtful, petitioner is a lady of clean antecedent.

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 this petitioner, accordingly the petitioner above named, in the event of her arrest or surrender before the learned Trial Court within a period of four weeks, is 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 Special Excise Judge, Court No. 1, East Champaran at Motihari/concerned Trial Court where the case is pending in connection with Bhelahi P.S. Case No. 08 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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