

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35412 of 2025

Arising Out of PS. Case No.-119 Year-2025 Thana- MIRGANJ District- Gopalganj

Sursati Devi W/O Gauri Sah Resident of Village- Kusaundhi, P.S- Mirganj,
Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Mirganj P.S. Case No. 119/2025 registered for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the FIR it has been stated that liquor was
recovered from the petitioner's house and shop. Based on secret
information, the police discovered that the petitioner was selling
illicit liquor from both her house and shop. A raid was
conducted, during which some persons managed to flee, but the
petitioner was apprehended and on search of the house as well
as the shop a total of 93.20 liters of liquor was seized.

4. Learned counsel for the petitioner submits that



petitioner is a lady and has falsely been implicated in this case only because she was at her house at that relevant time. Learned counsel further submits that from perusal of the FIR, it can be gathered that the recovery is said to have been made from the house as well as shop of the petitioner, however, from perusal of the seizure list, it would appear that only the house of the petitioner has been said to be the place of recovery. Learned counsel further submits that the police has falsely created the story of recovery of 93.20 liters of country-made liquor from the house of the petitioner which admittedly is not owned by the petitioner. It is lastly submitted that the petitioner has no criminal antecedent and is in custody since 12.03.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the petitioner is a lady and that she has clean antecedent, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-IV-cum-Exclusive Special Excise Court-II, Gopalganj, Bihar in connection with Mirganj P.S. Case No.



119/2025 subject to the conditions :-

- a. One of the bailors of the petitioner shall be her close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.
- d. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the aforementioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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