

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.37014 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- Rasalpur District- Bhagalpur

Sukhni Devi W/o Late Raina Mahaldar R/o Vill.- Naya Tola Bholsar, PS-
Rasalpur, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 25-06-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Rasalpur Police Station Case No. 22 of 2025,
disclosing offences under Sections 115(2), 126(2), 132, 352 of
BNS, 2023 and Sections 30(a), 45 of Bihar Prohibition and
Excise Amendment Act, 2018.

3. As per the prosecution case, the police, based on
secret information, conducted a search at the petitioner's house
on 19.02.2025. One person fled the scene using the crowd as
cover. During the search, 3.75 liters of illicit liquor were
recovered from the roof of a water tank.

4. Learned Counsel for the petitioner submits that
the petitioner has not committed any offence in the manner
alleged and has falsely been implicated in the present case due
to high handedness of the police officials. Petitioner was not
apprehended from the spot. Nothing has been recovered from
the conscious possession of the petitioner. Petitioner has been



made accused on the basis of disclosure of his name made by local chaukidar with whom, petitioner is having inimical terms. Illicit liquor has been recovered from the roof of water tank which is an open space and can be accessed by anyone as the houses are built in close proximity. He further submits that similarly situated co-accused person has been granted bail vide order dated 07.05.2025 in Cr. Misc. No. 27756 of 2025.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having seven criminal antecedents, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

7. However, if the petitioner surrenders before the concerned Court and seeks regular bail, the same may be considered on the same day by the concerned Court on its own merit without being prejudiced that anticipatory bail of the petitioner has been rejected by this Court.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

