

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37131 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- JADIA District- Supaul

1. Sushila Devi @ Kaushalya Devi W/O Manikchand Sardar @ Manchand Sardar R/O Village- Pandeypatti, Harinaha, Ward No.10, P.S- Jadia, Distt.- Supaul.
2. Madhu Devi @ Madhu Kumari W/O Ravindra Sardar @ Raben Sardar R/O Village- Pandeypatti, Harinaha, Ward No.10, P.S- Jadia, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Adv.

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Jadia P.S. Case No. 38 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, the police has recovered total 103 liters of illicit liquor out of which 87 liters were hidden in straw in front of the house of the petitioners.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the



present case. The petitioners were neither apprehended on spot nor anything incriminating has been recovered from their conscious possession or from their house. The petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioners have no concern with the alleged occurrence or the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Geeta Devi has been granted regular bail by this Court vide order dated 30.04.2025 passed in Cr. Misc. No. 26937 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court



below where the case is pending/successor court in connection
with Jadia P.S. Case No. 38 of 2025, subject to the conditions as
laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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