

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36510 of 2025

Arising Out of PS. Case No.-445 Year-2025 Thana- Excise P.S. District- Aurangabad

Mosmatiya Kunwar @ Barti Devi Wife of Late Muneshwar Rajwar R/O
Village - Pathak Bigha, P.S.- Jamhor, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 18-06-2025 Heard Learned counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with G.R. No.814 of 2025 arising out of Excise P.S. Case No. 445 of 2025 lodged on 27.04.2025, for the offence punishable under Sections 30(a) & 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, FIR has been lodged against the sole petitioner. Total recovery of 135 litres of country made liquor has been made which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner is an old lady aged about 55 years and it has been alleged that the alleged recovery has been made from her house and only due to this reason, her name has



figured in this case. Counsel submits that the said house is the joint family house of the petitioner and in future, she will take care that such activity shall not take place in her house. Counsel further submits that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that the petitioner has no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of Special Judge, Excise-II, Aurangabad, in connection with G.R. No.814 of 2025 arising out of Excise P.S. Case No. 445 of 2025, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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