

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38079 of 2025

Arising Out of PS. Case No.-244 Year-2025 Thana- GAYA MUFASIL District- Gaya

Fulwa Devi W/o- Late Mahesh Chaudhary Village- Bhusunda Balapar PS-
Muffasil, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-06-2025 No one appears on behalf of the petitioner though
State is present.

2. The petitioner apprehends her arrest in connection with Mufassil P.S. Case No. 244 of 2025 for the offence registered under sections 30(a) of Bihar Prohibition and Excise Amendment Act lodged on 12.03.2025 by the informant, Awadh Kishore Singh.

3. As per the prosecution story, the informant alleged that on secret information, the house of the petitioner was raided and there is recovery/seizure of 60 litre *mahua*. This led to the FIR.

4. From the record, it has been stated that nothing has been recovered from his conscious possession and the house is a joint property. Further, he has no criminal antecedent.



5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the recovery/seizure is from the house of the petitioner.

6. Considering the facts on record as also the submission of the learned APP, the petitioner is a lady, has no criminal antecedent, in that background, this Court is inclined to grant her the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 01, Gaya in connection with Mufassil P.S. Case No. 244 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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