

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52376 of 2025

Arising Out of PS. Case No.-182 Year-2025 Thana- Sahayak Khajanchi District- Purnia

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Durgi Devi @ Dropati Devi @ Durga Devi@ Laxmi Devi Wife of Sanjeet Kumar @ Sanjeet Sah@ Sanjeet kuamr Resident of Chak Husaini, ward no 1 PS- Mansi District -Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Adv.

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 07-08-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Sahayak Khazanchi P.S. Case No. 182 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered 258.80 liters of illicit foreign liquor from the bus.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The



petitioner has no concern with the seized liquor. The petitioner was just a passenger on the bus. The petitioner has never indulged either in manufacturing or trading of the illicit liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has four criminal antecedent and is languishing in judicial custody since 20.05.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sahayak Khazanchi P.S. Case No. 182 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the



court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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