

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58950 of 2025

Arising Out of PS. Case No.-193 Year-2023 Thana- JOKIHAT District- Araria

Kanchan Devi, Female, aged about 25 years, Wife of Sunil Bishwas, Resident of Village - Tekani, Ward no. 04, P.S- Mahalgaon, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-09-2025 Heard Mr. Vijay Kishore Bharti, learned counsel appearing on behalf of the petitioner and Mr. Sucheta Yadav, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Jokihat (Mahalgaon) P.S. Case No. 193 of 2023 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 2 litres of country-made liquor from the house of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner name has been disclosed by the sister-in-law, who was apprehended. Petitioner has no concern with the seized liquor nor she is involved in trade of liquor in any manner. Name of the petitioner has surfaced on the



basis of confessional statement made by co-accused Fulo devi, who has been granted bail by learned District Court. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the petitioner has no concern with the seized liquor nor she is involved in trade of liquor in any manner. Name of the petitioner has surfaced on the basis of confessional statement made by co-accused Fulo devi, who has been granted bail by learned District Court. Petitioner has clean antecedent, I am of the opinion that petitioner has *prima facie* made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or



surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Jokihat (Mahalgaon) P.S. Case No. 193 of 2023, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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