

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61776 of 2025

Arising Out of PS. Case No.-148 Year-2025 Thana- PIPRAKOTHI District- East Champaran

1. Sushila Devi @ Soshila Devi W/O Prem Mukhiya R/O Village- Hathiyahi P.o.- Tikuliya, P.s.- Piprakothi, District- East Champaran
2. Sangeeta Devi W/O Harimohan Mukhiya R/O Village- Hathiyahi P.o.- Tikuliya, P.s.- Piprakothi, District- East Champaran
3. Sangita Devi W/O Nandu Mukhiya R/O Village- Hathiyahi P.o.- Tikuliya, P.s.- Piprakothi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raki Alam

For the Opposite Party/s : Mr. Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Piprakothi P.S. Case No. 148/2025 registered for the offences punishable under Sections 30(a), 41(1) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there was alleged recovery of 25 liters country made liquor from the bush and maize field which was situated behind the house of the petitioners.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have committed no offence as alleged in the FIR. The petitioner nos. 1 and 2 bear no criminal antecedent and petitioner no. 3 bears one criminal antecedent in which he is on bail. He further submits that place of recovery is open place which is accessible to all and the petitioners cannot be held laible for the alleged recovery. The petitioners were not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioners. The petitioners have no concern with the seized liquor. The petitioners are not in any way connected with the alleged occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioners under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court 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 learned Special Judge
Excise Court No.-1, East Champaran, Motihari in connection
with Piprakothi P.S. Case No. 148/2025, subject to the
conditions as laid down under Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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