

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65124 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- GOVINDGANJ District- East Champaran

Gayatri Devi @ Gayatree Devi, Wife of Mishri Mukhiya R/o - Nawada,
Choubey Tola, Ward No.13, P.S. - Govindganj, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aniket Singh, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 24-09-2025 1. Heard Mr. Aniket Singh, learned counsel for the petitioner and Mr. Binod Kumar, learned APP for the State.
2. The petitioner apprehends her arrest in connection with Govindganj P.S. Case No. 31 of 2025, dated 06.02.2025, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.
3. The main submissions advanced by the learned counsel for the petitioner are that the petitioner is a 48 year old lady bearing no criminal antecedent, the instant matter relates to the recovery of only 10 litres of country made liquor from a bag and as per the prosecution, the petitioner was carrying the said bag and upon seeing the police party she threw the bag and



managed to escape however petitioner has been made accused mainly on the basis of disclosure made by the local chowkidar and at the time of recovery it was winter and the incident occurred in the evening making it unlikely that a person could be correctly identified from a distance in the village forest area and petitioner's past is completely clean and she is an issueless lady so there was no reason for her to be involved in such type of occurrence relating to the offence under the Excise Act and the alleged offence does not attract even *prima facie* against the petitioner, hence, her prayer for anticipatory bail is not hit by the provisions of Section 76(2) of the Excise Act.

4. Learned APP appearing for the State has opposed the bail prayer.

5. In the facts and circumstances of this case as well as considering the submissions as stated above and coupled with petitioner's fair and clean antecedent, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of her arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Govindganj P.S. Case No. 31 of 2025 on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand)



with two sureties of the like amount each to the satisfaction of
the Court concerned, subject to the conditions as laid down
under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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