

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70233 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- BABUBARHI District- Madhubani

Phular Devi @ Bhullar Devi @ Phullur Devi @ Bhallur Devi wife of Late
Ramlakshaman Saday Resident of Village- Bairiya Musahari PS -Babubarhi
Distt -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Adv.

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-10-2025 Heard Ms. Shweta, learned Counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends her arrest in connection
with G.R. No. 367 of 2025 arising out of Babubarhi P.S. Case
no. 88 of 2025 for the offence registered under sections 30(a) of
Bihar Prohibition and Excise Act.

3. As per the prosecution story, near the house of the
petitioner, 8 liter country made liquor recovered/seized. This led
to the FIR.

4. Learned Counsel for the petitioner submits that
nothing has been recovered from her conscious possession nor
she has criminal antecedent.

5. Learned APP for the State, on the other hand,



opposes the prayer for anticipatory bail submitting that on secret information, the place was raided.

6. Considering the submissions of the parties as also the fact that the petitioner is a lady having no criminal antecedent, FIR lodged, will be facing the trial, in that background, this Court is inclined to grant him 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 Judge (Excise Court), Madhubani in connection with G.R. No. 367 of 2025 arising out of Babubarhi P.S. Case no. 88 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 her *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 her 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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