

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71019 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- BHEJA District- Madhubani

Saira Bano W/O Md. Masoom R/o Vill.- Bheja, P.s - Bheja, District -
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 15-10-2025 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bheja Police Station Case No. 35 of 2025, dated 13.03.2025, disclosing offences punishable under Sections 274/275/3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information, raided the house of the petitioner and recovered 30.325 litres of illicit liquor.
4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in



this case by the police with ulterior motive. He further submits that the petitioner, being a lady, has got no concern with the illicit liquor recovered inasmuch as the illicit liquor has been recovered from the joint house of the petitioner, in which other members of the family also reside, which would be apparent from the First Information Report itself, inasmuch as it is alleged that three male members of the house, on seeing the police, fled away from the house. He further submits that the petitioner has got no criminal antecedent.

5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that from perusal of the First Information Report and the seizure list, it is apparent that the illicit liquor has been recovered from the house of the petitioner. Accordingly, on perusal of the First Information Report and the seizure list, a *prima facie* case is made out against the petitioner and in view of the Full Bench decision of this Court, in **Criminal Appeal (S.J.) No. 431 of 2019 (Ram Vinay Yadav v. The State of Bihar)**, I am not inclined to exercise my discretion for grant of anticipatory bail to petitioner.



6. This application is, accordingly, dismissed.
7. However, if the petitioner surrenders before the concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit, if possible on the same date, without being prejudiced by the rejection of the present anticipatory bail application of the petitioner by this Court.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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