

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68824 of 2025

Arising Out of PS. Case No.-279 Year-2025 Thana- SIKANDRA District- Jamui

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Kari Devi Wife of Rajesh Choudhary @ Teni Chaudhary R/O Village -
Ramdih Chitauni, P.O.- Sikandra, P.S.- Sikandra, District - Jamui, Bihar -
811315.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Mani, Adv

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

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending her arrest in connection with Sikandra P.S. Case No. 279 of 2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, 30 liters illicit liquor was recovered from a hut behind the petitioner's house.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that petitioner being a lady having no criminal antecedent. There is nothing on record to connect the present



petitioner with the alleged occurrence. No incriminating article has been recovered from possession or house of the petitioner. Petitioner was not found at the place of occurrence. Petitioner has no concern with the seized liquor and the alleged hut does not belong to the petitioner. He further submits that the place of recovery is open place which is accessible to all and petitioner cannot be held liable for the alleged recovery. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner that the place of recovery from a hut behind petitioner's house and petitioner cannot escape from the allegation made in FIR.

6. Considering the facts and circumstances of the case, petitioner being a lady having no criminal antecedent, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned Presiding Officer,
Exclusive Excise Court-I, Jamui in connection with Sikandra
P.S. Case No. 279 of 2025, subject to the conditions as laid
down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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