

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72498 of 2025

Arising Out of PS. Case No.-381 Year-2025 Thana- BANJARIA District- East Champaran

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Raja Pati Devi Wife of Sanjay Sah R/o Village - Banjariya Pipra, Ward 3, P.S.
- Banjariya, District - East Champaran, Motihari at present R/o - Sagnagar,
P.S. - Motihari Muffasil, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.
For the State : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending her arrest in connection with Banjariya P.S. Case No. 381 of 2025 registered for the offences punishable under Sections 30(a), 45 of Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, 180 ML of 8 P.M. Frooti was recovered from pocket of co-accused Dhurendra Kumar. Petitioner is said to have misbehaved with the police.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. He further submits that petitioner being lady having no criminal antecedent and she has nothing to do with the



alleged occurrence. He further submits that petitioner has been falsely implicated in the present case with ulterior motive at the instance of Chowkidar and enemies of the petitioner. Petitioner is teacher in Government Middle School in same Block Banjariya, District-East Champaran. No incriminating article has been recovered from possession of the petitioner. Petitioner has no concern with the seized liquor. 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 and submits that name of petitioner finds place in the FIR and hence, she cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, petitioner being 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 his 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 Exclusive Special
Excise Judge Court No. 1, East Champaran, Motihari in
connection with Banjariya P.S. Case No. 381 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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