

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83207 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- GADHPURA District- Begusarai

Sarita Devi, W/o Late Kumod Choudhary, R/o Village - Bhuidhara, Ward No. 08, P.S - Garhpura, District - Begusarai

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binay Kumar, Adv. Mr. Vivek Raj, Adv.
For the Opposite Party/s	:	Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 10-12-2025 1. Heard Mr. Binay Kumar, learned counsel for the petitioner and Mr. Akbar Ali, learned APP for the State.
2. The petitioner apprehends her arrest in connection with Garhpura P.S. Case No. 117 of 2025 dated 19.10.2025 registered for the offences punishable under Sections 30(a) and 32(3) of Bihar Prohibition and Excise Act.
3. The main submissions advanced by the petitioner's counsel are that the petitioner is a lady, her past is completely clean, she never remained involved in the similar type of the allegation and the police have made the petitioner an accused mainly on the basis of the disclouser made by the local Chowkidar which has no evidentiary value and further it is an



admitted fact that the recovery was not made from the petitioner's house rather it is alleged to have been made behind the petitioner's house which is not sufficient to implicate the petitioner in connection with the recovery of the alleged liquor , hence, the alleged offence under which the FIR has been registered does not even frima facie attract against the petitioner, so, her prayer is not hit by the provision of Section 76(2) of the Excise Act.

4. Though, learned APP appearing for the State has opposed the bail prayer of the petitioner but fairly accepts that the recovery of the alleged liquor was made behind the petitioner's house.

5. In the facts and circumstances of the case and considering the above submissions, mainly 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 Garhpura P.S. Case No. 117 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 B.N.S.S.,
2023.

(Shailendra Singh, J)

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