

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84673 of 2025

Arising Out of PS. Case No.-112 Year-2025 Thana- GHANSHYAMPUR District- Darbhanga

1. Hakku Lal Dev, S/o Kedar Lal Dev, R/o Village - Pohaddi Bela, P.S - Ghanshyampur, District - Darbhanga
2. Archna Devi, W/o Hakku Lal Yadav, R/o Village - Pohaddi Bela, P.S - Ghanshyampur, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Shivam Prerna, Adv. Ms. Aushi Chaudhary, Adv. Ms. Lovely Kumari, Adv
For the State	:	Mrs. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-12-2025 At the outset, learned counsel for the petitioners seeks permission to withdraw the prayer of the petitioner no.1 namely, Hakku Lal Dev, as he has been arrested and his prayer has become infructuous, as such, he wants to withdraw his prayer from this petition and in this regard, permission is required.

2. Permission as sought above is granted.

3. The prayer made by the petitioner No. 1 namely, Hakku Lal Dev, stands dismissed as withdrawn.

4. Heard Ms. Shivam Prerna, learned counsel for the petitioners and Mrs. Dr. Indihar Kumari, learned APP for the State.

5. The petitioner no 2 apprehends her arrest in



connection with Ghanshyampur P. S. Case No. 112 of 2025 dated 12.04.2025 registered for the offences punishable under Sections 30 (a) and 30(d) of the Bihar Prohibition and Excise Act.

6. The main submissions advanced by the learned counsel for the petitioner no. 2 (Archna Devi) are that the petitioner no.2 is a lady and the recovery of the alleged liquor is said to have been made from a hut situated adjacent to her house and the same is not alleged to have been recovered from a place in the exclusive possession of this petitioner and past of the petitioner no.2 is completely clean, she had never remained involved in any activity punishable under the Excise Act and there is no admissible evidence to show the petitioner's direct involvement in the recovery of the alleged liquor, so the alleged offences of Excise Act do not attract even prima facie against the petitioner no. 2 and her prayer is not hit by the provisions of Section 76(2) of the Bihar Prohibition and Excise Act.

7. 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 is said to have been made from a hut which is situated adjacent to the house of the petitioners.



8. In the facts and circumstances of this case and considering the above submissions, this court is inclined to grant the relief of anticipatory bail to the petitioner no.2 (Archna Devi). 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 Ghanshyampur P. S. Case No. 112 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 BNSS.

(Shailendra Singh, J)

Rajiv/-

U		T	
---	--	---	--

