

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.88541 of 2025**

Arising Out of PS. Case No.-410 Year-2025 Thana- PARSABAZAR District- Patna

Lalti Devi Wife of Khublal Singh Resident of Village- Islampur, P.S.-  
Masaudhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar Singh, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

2      22-12-2025                      Heard Mr. Sunil Kumar Singh, learned counsel for  
the petitioner and learned APP for the State.

2. The petitioner is apprehending her arrest in connection with Parsa Bazar P.S. Case No. 410 of 2025 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 28.09.2025 by the informant, Navin Kumar.

3. There has been recovery of altogether 420 litres of illicit liquor kept in two tempos. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the recovery of the illicit liquor is said to have been made from two tempos out of which one of the tempos belongs to the petitioner which was handed over to the driver on rent basis. The driver is said to have been apprehended from the place of occurrence itself and is in judicial custody. The said tempo was given to the



driver on rent basis being unaware of the fact that it can be misused by carrying illicit liquor and she has got no concern with the recovery so made from the tempo. It has further been submitted that petitioner has got no criminal antecedent and she deserves the privilege of anticipatory bail.

5. Learned APP opposes the prayer for anticipatory bail submitting that the recovery has been made from the tempo of the petitioner though it was given on rent.

6. Considering the fact that the recovery has not been made from the constructive possession of the petitioner rather it was said to have been made from the tempo which was given on rent and the driver of the said tempo has been apprehended and is in judicial custody and the petitioner has got clean antecedent, this Court is inclined to extend her the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge- Excise-II, Patna in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as



well as the following conditions:-

*(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;*

*(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their/his bail bond by the Trial Court itself;*

*(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;*

*(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.*

**(Ajit Kumar, J)**

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