

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84310 of 2025

Arising Out of PS. Case No.-315 Year-2025 Thana- SIRDALA District- Nawada

Jhalo Devi Wife of Ashok Chaudhary Resident of Village - Sonawe, P.S.-
Sirdalla, District - Nawada (Bihar). Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar

For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 17-12-2025 Heard learned counsel for the parties.

2. The petitioner is apprehending her arrest in connection with Sirdalla P.S. Case No.315 of 2025 dated 13.08.2025, registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the FIR, on secret information, the informant conducted a raid at Sirdalla Niche Bazar and apprehended Ashok Chaudhary while he was trying to flee in a blue e-rickshaw. On search, 50 liters of country made liquor was recovered from the vehicle.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has been falsely implicated in the instant case only on the basis of the fact that she is the owner of the seized e-rickshaw. There is no recovery from the constructive possession of the petitioner. It is further submitted that the petitioner has no concern with the seized liquor, nor she was driving the seized vehicle; rather, it was driven by her husband,



who was apprehended by the police and has already been granted regular bail. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP for the State opposed the prayer for bail.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession of the petitioner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the Court below within a period of four weeks from today 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 Court-1, Nawada in connection with Sirdalla P.S. Case No.315 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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