

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87781 of 2025

Arising Out of PS. Case No.-141 Year-2025 Thana- TIKAPATTI District- Purnia

Champa Devi Wife of Shambhu Mandal Resident of Village- Dumri Bazar,
Ward No. 10, P.S.- Tikapatti, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 19-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Tikkapatti P.S. Case No.141 of 2025, F.I.R dated 01.09.2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 01.09.2025, a police officer (Balan Kumar Yadav, ASI) went on patrol for a raid related to prohibition. During patrolling, the police received secret information that a woman named Champaa Devi (also called Chang Devi) from Village Simra was involved in selling illegal liquor in an open field area. The police team, along with a lady constable, reached the spot around 8:55 PM. On seeing



the police, the woman tried to run away. With the help of the local chaukidar, her identity was confirmed. Upon search, the police recovered 1.5 litres of country-made liquor from a plastic can.

4. Learned counsel for the petitioner submits that the illicit liquor was kept in a plastic can and the recovery is said to have been made from an open field which is an open space and accessible to general public. The petitioner was neither present at the place of occurrence nor was anything recovered from his possession and the petitioner has clean antecedent and is ready to abide by the terms and conditions, in case the privilege of the anticipatory bail is extended to him.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

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 and / or premises belonging to the petitioner and the petitioner has clean antecedent, 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 Judge Excise Court No.02, Purnea, in connection with Tikkapatti P.S. Case No.141 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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