

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86520 of 2025

Arising Out of PS. Case No.-460 Year-2025 Thana- DHAKA District- East Champaran

Urmila Devi @ Renu Devi Wife of Shyam Babu Mukhiya Resident of Village
- Jhauwaram, P.S.- Dhaka, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar
For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 18-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dhaka P.S. Case No. 460 of 2025, F.I.R dated 16.08.2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 16.08.2025 at about 2:00 p.m., the informant, Chandani Kumari, P.S.I., Dhaka Police Station, along with other police personnel, proceeded from the police station for patrolling duty. It is alleged that at about 6:00 p.m., she received information that the petitioner, Urmila Devi @ Renu Devi, was keeping illicit liquor in her house. Acting



upon the said information, the police reached the spot, where, on seeing the police force, the petitioner allegedly fled away. Thereafter, on search of the house, a total of 15.9 litres of Nepali liquor was allegedly recovered, pursuant to which a seizure list was prepared and the present case was instituted.

4. Learned counsel for the petitioner submits that the recovery is said to have been made from the house of the petitioner as per the allegations levelled against the said house, which is in joint possession of the other family members. It has been further alleged that on seeing the local police, the petitioner is succeeded in fleeing away from the house. However, on such seizure has been made by the police in her absence, the recovery his said to have been made. It has next been submitted that the seizure so prepared is in violation of Section 103 of BNSS, Act. Counsel for the petitioner fairly submits that the petitioner has two criminal antecedents, but she is on bail, without accepting the guilt, learned counsel for the petitioner proposes to deposit Rs. 5,000/- (Rupees Five Thousand) in the welfare account of Advocate Association, Patna High Court, Patna.

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 considering the aforesaid fact and circumstances recovery is said to have been made from the house, which is in joint possession of the other family members, 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 No.-3, East Champaran, Motihari in connection with Dhaka P.S. Case No. 460 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023, and on production of the receipt showing deposit of Rs. 5,000/- (Rupees Five Thousand) as proposed on behalf of the petitioner.

(Ajit Kumar, J)

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