

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1340 of 2025

Arising Out of PS. Case No.-144 Year-2024 Thana- SRINAGAR District- West Champaran

Priyanka Devi W/o Raju Manjhi Resident of Village- Nimueya Kunj,
Patjirwa, ward 07, P.S.- Bettiah District- West Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mayank Mohan, Adv

For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-02-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in the F.I.R.

and apprehended his arrest in connection with Srinagar P.S.

Case No. 144 of 2024 registered for the offences punishable

under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor, where,

there is recovery of 3 litres of IMFL/country made liquor.

4. Learned counsel appearing on behalf of the

petitioner submitted that recovery of illicit liquor was made



from the house of this petitioner, which was occupied by other adult family members also, therefore, it can be safely said that alleged recovery of illicit liquor was not made from the physical possession of this petitioner, who is a lady of clean antecedent. It is further submitted that mandatory provision regarding search of premises under Section 103 of the BNSS not appears to be followed in the present case, which further makes recovery doubtful.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and by taking note of the fact as recovery of illicit liquor appears doubtful from the conscious physical possession of this petitioner, who is a lady of clean antecedent, accordingly the petitioner above named, in the event of her arrest or surrender before the learned trial court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, Bettiah, West



Champaran/concerned trial court where the case is pending in connection with Srinagar P.S. Case No. 144 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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