

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.734 of 2026

Arising Out of PS. Case No.-720 Year-2024 Thana- Excise P.S. District- Muzaffarpur

Shahin Khatun W/o Late Mohd. Afzal Khan R/o Village - Rajheti, P.S -
Simbhawali, District - Hapur, State - Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-01-2026 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Excise P.S. Case No. 720 of 2024 registered for the offences punishable under Sections 30 (a) & 32 (3) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 324 litres of IMFL/country made liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that admittedly recovery of illicit liquor was made from the bus, which was occupied by different persons and is a public transport accessible by general public and therefore, it can be safely said that recovery of alleged illicit liquor was not made from the conscious physical possession of this petitioner. While



concluding the argument it is submitted that petitioner is a lady of clean antecedent.

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

6. In view of the facts and circumstances as mentioned above and by taking note of fact as recovery of illicit liquor prima-facie not appears to be made from the conscious physical possession of this petitioner being driver of the public transport, who is a lady of clean antecedent, accordingly the petitioner above named, in the event of his 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 Court No. II, Muzaffarpur/concerned trial court where the case is pending in connection with Excise P.S. Case No. 720 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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