

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7967 of 2026

Arising Out of PS. Case No.-434 Year-2025 Thana- SIRDALA District- Nawada

Basanti Devi W/O Kamlesh Rajbanshi Resident of Vill.- Bhalua, P.S.- Sirdala,
Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Ranjan Kumar
For the Opposite Party/s	:	Mr.Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-02-2026 1. Heard the parties.

2. The petitioner apprehends her arrest in connection with Sirdala P.S. Case No. 434 / 2025 dated 01.12.2025 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the first information report a total quantity of 20 liters of Mahua wine has been recovered from the room of the petitioner and she managed to flee away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to dirty village politics. The 'Mahua' wine has been recovered from a room of the house which is a joint family property and the same is not the residential house of the petitioner. The name



of the petitioner has transpired in this case on the basis of disclosure made by local Chaukidar with whom the petitioner is having inimical terms. The Police during search and seizure did not follow the provisions contemplated under Section 100 of the Cr.P.C. The petitioner is a lady having no criminal antecedent.

5. Regard being had to the submissions advanced by the parties, taking into consideration the fact that illicit 'Mahua' wine has been recovered from the room of the petitioner and in view of Full Bench judgment of this Court rendered in Cr. Appeal (SJ) No. 431 of 2019 (Ram Vinay Yadav versus The State of Bihar), I am not inclined to extend the privilege of anticipatory bail to the petitioner. The same is rejected.

6. However, if the petitioner surrenders and seeks regular bail, the concerned court may consider the prayer for bail on the same day without being prejudiced by the fact that the present anticipatory bail application has been rejected by this court.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

