

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7790 of 2026

Arising Out of PS. Case No.-55 Year-2025 Thana- KALUAHI District- Madhubani

Saliha Devi Wife of Late Santosh Mahto Resident of Village- Kaluahi,
Pasikhana Tol, Police Station- Kaluahi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-02-2026 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Kaluahi Police Station Case No. 55 of 2025, disclosing offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that on 15.04.2025 at about 07:15 P:M, the police received secret information that the petitioner was selling liquor from a thatched hut next to her house. On such information, police party arrived at the spot and upon seeing the police party, the petitioner dropped a bag on the road in front of her hut and fled into the densely



populated village. On search of the bag, total 2.4 litres of illegal Nepali country-made liquor was recovered.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Learned counsel further submits that petitioner is a lady and is having no criminal antecedent. Recovery is made from in front of the house/thatched hut of the petitioner which is an open space, accessible to all and sundry. Nothing has been recovered from the conscious physical possession of the petitioner.

5. Regards being had to the submissions made by the parties and taking into consideration the fact that petitioner is a lady, nothing has been recovered from the conscious physical possession of the petitioner and is having clean antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of her arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned Exclusive Special Judge, Excise Act, Madhubani, in connection with Kaluahi Police Station Case No. 55 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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