

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9266 of 2026

Arising Out of PS. Case No.-134 Year-2025 Thana- Nagara District- Saran

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Bebi Devi W/o Late Laddu Nut @ Late Naddu Nut Resident of Village-
Nagra Tola, P.S.- Nagra, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 19-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending her arrest in connection with Nagra P.S. Case No. 134/2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 20 liters country made liquor from a paddy field situated on the northern side of the petitioner's house. The villagers disclosed the name of the petitioner who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. From the perusal of FIR, it appears that source of



informant is villagers but the specific names of villagers have not been mentioned in the FIR, which questions the authenticity of the FIR. Except disclosure of villagers, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. The petitioner bears five criminal antecedents out of which she is on bail in three cases. He further submits that the petitioner has roped in a case one after another in a routine manner without any basis. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. He further submits that the petitioner has no concerned with the said paddy field or the seized liquor. He further submits that there is no compliance of Section 103 of the B.N.S.S. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner is FIR named accused and she cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, petitioner was not found at the place of occurrence,



argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of learned Special Excise Court No.3, Saran at Chapra in connection with Nagra P.S. Case No. 134/2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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