

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7877 of 2026

Arising Out of PS. Case No.-311 Year-2025 Thana- LAXMIPUR District- Jamui

Sabita Devi @ Sabita W/o Late Vijay Besra R/o Village- Baljora, Post-
Anandpur @ Annanpur, P.S- Laxmipur, Dist- Jamui (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Madhuri Kumari Mr.Abhishek Anand
For the Opposite Party/s :		Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 2 | 17-02-2026 | <ol style="list-style-type: none">1. 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 Laxmipur Police Station Case No. 311 of 2025, dated 11.12.2025, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.3. The prosecution case, as per the First Information Report, is that the police, on secret information that the manufacturing and sale of illicit liquor is going on in village Balzora, reached in the village and raided one house and recovered 25 litres of illicit country made liquor from that house. On enquiry by the local people, no one disclosed the owner of the said house. When the |
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Police was returning, on the way, one person disclosed the name of the owner of the house as the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner, being widow lady having no criminal antecedent, is innocent and has falsely been implicated in this case on the disclosure of her name by a stranger. He further submits that the petitioner has got no concern with the illicit liquor recovered inasmuch as the illicit liquor has been recovered from the house owned by the petitioner's husband and it is a joint property in which other members of the house also reside. He further submits that the petitioner was not present in the said house at the time of recovery inasmuch from perusal of the First Information Report, it would be evident that no one was found fleeing from the house in question.
5. Taking into consideration the fact that from perusal of the First Information Report and the seizure list, it is apparent that the illicit liquor has been recovered from the house of the petitioner, accordingly, on perusal of the First Information Report and the seizure list, a *prima facie* case is made out against the petitioner and in view of the Full Bench decision of this Court, in **Criminal**



Appeal (S.J.) No. 431 of 2019 (Ram Vinay Yadav v. The State of Bihar), I am not inclined to exercise my discretion for grant of anticipatory bail to petitioner.

- 6. This application is, accordingly dismissed.
- 7. However, if the petitioner surrenders before the concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit, if possible on the same date, without being prejudiced by the rejection of the present anticipatory bail application of the petitioner by this Court.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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