

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9123 of 2026

Arising Out of PS. Case No.-4 Year-2026 Thana- PANAPUR District- Saran

Gita Devi, wife of Late Sunil Nut, R/o Village - Turki Nut Toli, P.S. - Panapur,
Dist. - Saran. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-02-2026

Heard the parties.

2. The petitioner apprehends her arrest in connection with Panapur P.S. Case No. 04 of 2026 dated 08.01.2026 registered for the offence punishable under section 30(a) of the Bihar Prohibition & Excise Act, (in short 'Excise Act').

3. The main submissions advanced by petitioner's counsel are that the petitioner is a lady and she has been made accused in connection with the recovery of the alleged liquor mainly on account of she being found in fleeing position upon seeing the police party which cannot be made a ground to implicate her, particularly, in respect of the recovery of the alleged liquor and further, the recovery of the said liquor was made from the road adjacent to the hut of the petitioner, not from the petitioner's hut. It is lastly submitted that the petitioner



bears no criminal antecedent and her past history is completely clean, hence, the alleged offence punishable under the Excise Act, under which the FIR has been registered, does not attract even *prima facie* against the petitioner, so, her prayer for anticipatory bail is not hit by the provisions of section 76(2) of the Excise Act.

4. Learned APP appearing for the State has opposed the prayer of the petitioner.

5. In the facts and circumstances of this case as well as considering the submissions as stated above, coupled with the pleas of the petitioner, this Court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Panapur P.S. Case No. 04 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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