

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11502 of 2026

Arising Out of PS. Case No.-320 Year-2025 Thana- JALALPUR District- Saran

Prabhawati Kuar W/o Late Jagdish Manjhi R/o Village - Pirari, P.S - Jalalpur,
District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

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

2. The petitioner is apprehending her arrest in connection with Jalalpur P.S. Case No. 320 of 2025 dated 21.12.2025 registered for the offence punishable under Section/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the police has recovered total 05 liters of illicit country-made liquor from the hut of the petitioner.

4. Learned counsel for the petitioner submits that recovery of illicit liquor has been made from three different places and the petitioner is connected with the recovery, which is said to have been made from the hut situated near Pirari canal, which is an open place and access of general public cannot be denied. There is no eye-witness to the alleged search and seizure



and, as such, there is violation of Section 103 of the B.N.S.S. Lastly, it is submitted that the petitioner is a person of clean antecedent.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that the recovery has been made from the open place, accessible to one and all, the petitioner having no antecedent as also the petitioner being lady, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of her arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Jalalpur P.S. Case No. 320 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

(Ajit Kumar, J)

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