

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11152 of 2026

Arising Out of PS. Case No.-1358 Year-2025 Thana- GAYA MUFASIL District- Gaya

Fulwa Devi Wife of Late Mahesh Chaudhary Resident of Village- Bhusunda
Balapar, P.S.- Muffasil, District- Gaya Jee.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushp Raj Singh, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, on getting secret
information that petitioner is serving wine to some person near
Gauri Kanya School, Busunda Balapar Gali No.3, the police party
reached there and recovered 40 litre illicit country made liquor. It
is alleged that on seeing the police, the petitioner fled away from
the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case
due to her two criminal antecedents. He further submits that
petitioner was not arrested on the spot and her name has been
implicated in this case only on the basis of secret information.
Learned counsel submits that the place from where the alleged



recovery has been made does not belong to the petitioner and she has no concern with the alleged seized liquor. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner or from her house. Learned counsel submits that there is no independent witness to the seizure list. There is no chance of her absconding or tampering with the evidence. Petitioner is in custody since 11.01.2026 and she undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, the submissions of learned counsel for the parties, the nature of allegation against the petitioner and the period of custody, let the petitioner, above named, be released on 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 concerned in connection with Muffasil P.S. Case No.1358 of 2025.

(Sunil Dutta Mishra, J)

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