

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16711 of 2026

Arising Out of PS. Case No.-85 Year-2025 Thana- SHIVAJINAGAR District- Samastipur

Usha Devi @ Usha W/O Late Umesh Mukhiya R/o- Ghiwahi Parsa, Ps- Shivajinagar, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 13-03-2026 Heard Mr. Saroj Kumar Choudhary, learned counsel for the petitioner and Mr. Nityanand Tiwari, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Shivajinagar P.S. Case No. 85 of 2025 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 210 litres of liquor was recovered, out of which 15 litres was recovered from the hut of the petitioner.

4. Learned counsel for the petitioner submitted that the petitioner is innocent lady and has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of confessional statement of the apprehended co-accused. Learned counsel further submitted that petitioner has



no knowledge and concern with the alleged recovery. Learned counsel further submitted that the alleged recovery has been made from the joint house where other family members also reside. Learned counsel, therefore, submitted that prima-facie, no case is made out against the petitioner. The petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shivajinagar P.S. Case No. 85 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

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