

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15868 of 2026

Arising Out of PS. Case No.-22 Year-2026 Thana- BUXAR District- Buxar

Usha Devi W/o Karim Rajak R/o vill - Sohani Patti, Buxar, P.s.- Buxar
(Town), Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr.Kamal Deo Sharma, Adv.

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2026 Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Buxar (T) P.S. Case No.22 of 2026, for the offence punishable under Section 317(5) of the BNS read with Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution, the total recovery of 239.4 litres of *foreign and country-made* liquor have been alleged to be made from three different motorcycles, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that petitioner was not present on the spot and his name has been transpired only due to owner of one of the



alleged motorcycle. Counsel further submits that criminal antecedent of the petitioner is clean. He further submits that the from petitioner's motorcycle only 52.92 liters wine alleged to be recovered. He further submits that the petitioner's motorcycle was used by some other person to do such wrong.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is clean.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Judge, Excise Court No.-1, Buxar, in connection with Buxar (T) P.S. Case No.22 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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