

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18355 of 2026

Arising Out of PS. Case No.-13 Year-2026 Thana- Excise P.S. District- Saran

Sita Devi D/O Late Amardeo Sahni R/O Vill - Gosai Ghat, P.S- Alamganj ,
Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Harshvardhan, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2026 Heard Mr. Shekhar Harshvardhan, learned counsel
for the petitioner and Mr. Akbar Ali, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.01.2026 in connection with Sadar Excise P.S. Case No. 13 of
2026, F.I.R. dated 17.01.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2022.

3. Recovery is of 42.150 liters of illicit foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and she has falsely been
implicated in the present case. The allegation as alleged in the
F.I.R is false and fabricated and the petitioner has not committed
any offence as alleged in the F.I.R. He further submits that



altogether 42.15 litres of illicit foreign liquor has been recovered from the place of occurrence and 17.01 litre of illicit liquor has been recovered from the possession of the petitioner. There is non-compliance of Sections 103/105 of the BNSS, 2023. The petitioner is in custody since 17.01.2026.

5 Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and there is non-compliance of Section 103/105 of the B.N.S.S, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.03, Saran at Chapra in connection with Sadar Excise P.S. Case No. 13 of 2026, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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