

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16834 of 2026

Arising Out of PS. Case No.-598 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

Uma Devi Wife of Late Ashok Sahani R/o Village - Nandpur Ward No. 5. P.S.
- Muffasil, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-05-2026 Heard Mr.Rajesh Kumar, learned counsel for the
petitioner and Mr.Upendra Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
26.12.2025 in connection with Muffasil P.S. Case No. 598 of
2025, F.I.R. dated 16.09.2025 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. Recovery is of 65 liters of country made liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. It appears from the FIR as well as the seizure list
that 65 liters of country made liquor has been recovered from
house of the petitioner but the petitioner is not the exclusive



owner of the house in question rather the house in question is the joint family property of the petitioner and it appers from the FIR as well as the seizure list that the seizure list witnesses are Home Guard personnel so there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 26.12.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one of similar nature but he fairly submits that the petitioner is on bail in both the cases, as mentioned in Paragraph no.2 of the Supplementary Affidavit.

6. Considering the aforesaid fact, 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 learned Exclusive Special Excise Judge Court No.1, Civil Court, East Champaran, Motihari in connection with Muffasil P.S. Case No. 598 of 2025,with 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 his/her absence on two consecutive dates without sufficient reason, his/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 his 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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