

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26866 of 2026

Arising Out of PS. Case No.-52 Year-2026 Thana- SANDESH District- Bhojpur

Rita Devi W/O Late Nagendra Chaudhary R/O Vill.- Sandesh Ward no. 12,
P.S.- Sandesh, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Sandesh P.S. Case No. 52 of 2026, dated 23.02.2026, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022, pending before the Court of Exclusive Special Excise Court No. II, Bhojpur at Ara.

3. As per the prosecution, total recovery of 10 litres of illicit liquor has been made, 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 further submits that nothing has been recovered from the possession of the petitioner. Counsel also submits that the criminal antecedent of the petitioner is not clean, as one



criminal case is pending against her.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that one case of the same nature is pending against the petitioner.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 6 weeks from today. In case, the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on her surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass orders on the merits of this case, considering that the petitioner is a female and recovery has not been made from her possession.

(Dr. Anshuman, J.)

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