

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29115 of 2026

Arising Out of PS. Case No.-12 Year-2026 Thana- KATIHAR NAGAR District- Katihar

Archana Devi Wife of Santosh Choudhary @ Fantush R/o Village - Rani
Ghat, Dam, Near - Gaushala, P.O.- Katihar, P.S.- Sahayak, Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Yadav, Adv.

For the Opposite Party/s : Mr.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

3 13-05-2026 Heard the learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Katihar Town (Sahayak) P.S. Case No. 12 of 2026 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case is that 20 liters of country made liquor was recovered from the *Tin-Tati (Jhopri)* of the accused petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has got one criminal antecedent.

5. Learned APP for the State has vehemently opposed the



prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case that the recovery was made from *Tin-Tati (Jhopri)* which does not belong to the petitioner and thus no *prima facie* case is made out against petitioner, this court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 Sepcail Excise II, Katihar in connection with Katihar Town (Sahayak) P.S. Case No. 12 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

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