

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28711 of 2026

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

Kavita Devi W/o Late Dharmendra Chaudhary R/o Village - Sandesh, Ward
No - 12, P.S - Sandesh, District - Bhojpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Pankaj Kumar Singh, Advocate
For the Opposite Party : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Sandesh P.S.
Case No.52 of 2026 registered under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2022.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 16 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for
the petitioner that the name of this petitioner arrayed solely
for the reason that the recovery of alleged liquor was made



from the house of petitioner. It is also submitted that she is the joint owner of house where recovery of illicit liquor was made. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is further argued that the requirement of Section 103(4) of the BNSS has not been complied with, inasmuch as no independent witness was associated with the search and seizure list and the seizure witnesses were police personnel themselves. Explaining criminal antecedent, it is submitted that the petitioner found involved in one criminal case, where she is on bail.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise judge 2nd , Bhojpur, Ara, in connection with Sandesh P.S. Case No.52 of 2026, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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