

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30500 of 2026

Arising Out of PS. Case No.-108 Year-2026 Thana- DEEPNAGAR District- Nalanda

Sarita Devi W/o Ram Janam Chaudhary R/o Village - Mandachh, P.S -
Deepnagar, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-05-2026 Heard Mr. Pankaj Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Md. Shakir
Ahmad, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Deepnagar P.S. Case No. 108 of 2026 attributing Offences
Under Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, the police
allegedly recovered 30 litres of country-made liquor concealed
beneath the earth in a steel drum and plastic gallon near the
house of the petitioner.

4. Learned counsel for the petitioner submitted that
nothing has been recovered from the conscious possession of
the petitioner. The alleged recovery has not been made from the
house of the petitioner but from an open place situated in front



of the house, which is accessible to the general public. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, upon perusal of the record, it appears that recovery of 30 liters has been made from an open place situated in front of the house of the petitioner, which is accessible to the general public. Considering the nature of allegation and the clean antecedent of the petitioner, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on anticipatory bail.

7. The learned District Court is directed to release the petitioner on anticipatory bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned District Court where the case is pending in connection with Deepnagar P.S. Case No. 108 of 2026, subject to the condition as laid down under Section 482 of the BNSS//438(2) of the Cr.P.C.



8. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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