

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34431 of 2026

Arising Out of PS. Case No.-130 Year-2026 Thana- AKBARPUR District- Nawada

Ramkali Devi, W/o Late Titu @ Tito Manjhi ,Resident of Village- Baksanda,
P.S.- Akbarpur, District- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 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 Akbarpur P.S. Case No.130 of 2026 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 30 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for petitioner that the seized liquor was recovered from the hut. It is further argued that Section 103(4) of BNSS has not



been complied with *qua* search of premises, inasmuch as no independent witness was associated with the search and seizure list and the seizure witnesses were police personnel themselves. It is submitted that nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner surfaced solely on the basis of the disclosure made by the local Chaukidar. The petitioner claimed clean antecedent.

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

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, who is a lady of clean antecedent, 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 the learned Exclusive Special Court, Excise-I, Nawada in



connection with Akbarpur P.S. Case No.130 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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