

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36121 of 2026

Arising Out of PS. Case No.-114 Year-2026 Thana- PATEPUR District- Vaishali

Kavita Devi Wife of Harendra Paswan Resident of Village- Mandai Dih @
Marie Dih @ Manddai Dih, P.S.- Patepur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

3. The petitioner is apprehending arrest in connection
with Patepur P.S. Case No.114 of 2026, for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2022.

4. As per the prosecution, the total recovery of 21
litres of *Chulai* liquor have been alleged to be made from a hut,
which is the subject matter of the present case.

5. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that petitioner was not present on the spot and her



name has been transpired only at the instance of her local enemy. Counsel further submits that criminal antecedent of the petitioner is clean. He further submits that the alleged recovery has not been made from conscious possession of the petitioner. He further submits that only 6 litres of wine has been recovered from a hut, which belongs to the petitioner

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is clean.

7. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Excise Prohibition Court-2-cum- Addl. District and Sessions Judge, Vaishali at Hajipur in connection with Patepur P.S. Case No.114 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023

And further condition that the Trial Court shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal



antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Dr. Anshuman, J)

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