

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36746 of 2026**

Arising Out of PS. Case No.-223 Year-2026 Thana- RIVILGANJ District- Saran

1. Sushma devi @ Nahiyari Kumari @ Nahiyari Devi W/o Runthu Rai  
Resident of Vill- Khora Bhakuwa Toli, P.O.-Khora, P.S.-Gumla, Dist.-  
Gumla, Jharkhand-835207
2. Fagan Devi @ Lagan Devi W/o Nago Oraon @ Nago Rai @ Nago Ram R/o  
Vill- Khora Bhakuwa Toli, P.O.- Khora, P.S.- Gumla, Distt- Gumla,  
Jharkhand- 835207

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Deo Prakash Singh  
For the Opposite Party/s : Md. Ataur Rahman

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      15-06-2026                      Heard Mr. Deo Prakash Singh, learned counsel for  
the petitioners and Md. Ataur Rahman, learned Additional  
Public Prosecutor for the State.

2. Petitioners seek bail who are in custody since  
19.04.2026 in connection with Revilganj P.S. Case No. 223 of  
2026 for the offence punishable under Section 30(a) of Bihar  
Prohibition and Excise Act.

3. The case of the prosecution, in brief, is that the  
police received an information that petitioners are selling illicit  
liquor. Acting upon that information police reached on the spot,  
in the meantime, two ladies started to flee away from there upon  
seeing the police party. After chase, they were apprehended on



the spot. Searching the said place, police recovered 125 liters of country-made liquor from the conscious possession of petitioners which was duly seized.

4. Learned counsel for the petitioners submits that it appears from the FIR and seizure list that nothing has been recovered from the conscious possession of the petitioners rather the recovery has been made from the place of occurrence. It is also submitted that petitioners are women and there is non-compliance of mandatory provisions of Section 103 of BNSS, 2023 and petitioners are in custody since 19.04.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, 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 2<sup>nd</sup> Exclusive Special Excise Judge, Saran at Chapra in connection with Revilganj P.S. Case No. 223 of 2026, subject to the following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and



on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

**(Rajesh Kumar Verma, J)**

Gaurav Sinha/-

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