

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36339 of 2026

Arising Out of PS. Case No.-17 Year-2024 Thana- KISHANGANJ District- Kishanganj

Anita Devi W/o Raju Mahto Resident of Dey Market, Ward No 25, P.S.-
Kishanganj, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Heard Learned Counsel for the petitioner and
Learned APP for the State.

3. The present criminal miscellaneous application has
been filed under Section 482 of the Bharatiya Nagarik Suraksha
Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for
grant of anticipatory bail to the petitioner who apprehends arrest
in connection with Special Case No. 9 of 2024, arising out of
Kishanganj P.S Case No. 17 of 2024, lodged on 10.01.2024,
under Sections 30(a), 41 and 47 of the Bihar Prohibition and
Excise Act, pending in the Court of learned Exclusive Special
Judge Excise-I, Kishanganj.

4. As per the prosecution, total recovery of 7.125 litres



of foreign liquor has been made 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 submits that antecedent of the petitioner is not clean. There is one case pending against the petitioner. Counsel submits that petitioner has not been named in the FIR and on the basis of seized scooty of the petitioner, she has been implicated in this case. He submits that petitioner is a lady and she is the registered owner of the said scooty but she has no concern with the seized illicit liquor.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is one case pending against the petitioner.

7. Considering the criminal antecedent of the petitioner, the prayer for anticipatory bail of petitioner is hereby refused. However, in the event of surrender of the petitioner within four weeks from today, the prayer for regular bail shall be considered without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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