

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38967 of 2026

Arising Out of PS. Case No.-79 Year-2026 Thana- SAHARGHAT District- Madhubani

Shanti Devi W/o Sakindra Mahto R/o Vill-Durgasthan , P.S-Benipatti, Distt-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-06-2026 Heard Ms. Kumari Pallavi, learned counsel for the petitioner and Mr. Anil Kumar, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 13.05.2026 in connection with Saharghat P.S. Case No. 79 of 2026, F.I.R. dated 12.05.2026 for the offences punishable under Section 274, 275, 3(5) of the Bharatiya Nyay Sanhita, 2023 and 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 90 liters of Nepali Sofi wine liquor.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case. He further submits that it appears from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather



the recovery has been made from tempo in question and the petitioner was the driver of the said tempo and she had no knowledge about the illicit liquor kept in the tempo. He further submits that there is non-compliance of Section 103 of BNSS. The petitioner is in custody since 13.05.2026.

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

6. Considering the aforesaid facts and circumstances, let the petitioner, 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 Exclusive Special Judge Excise, Madhubani in connection with Saharghat P.S. Case No. 79 of 2026, subject to the following conditions:-

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

ii. If the petitioner 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 petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below 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.

(Rajesh Kumar Verma, J)

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