

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43573 of 2026

Arising Out of PS. Case No.-234 Year-2026 Thana- BAHERA District- Darbhanga

Rinku devi, W/o- Ratan Kumar Yadav, R/o- Parul, Post- Rasidpur, PS-
Alinagar, District - Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shivam Prerna, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-07-2026 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 her arrest in connection with Bahera P.S. Case No.234 of 2026 registered under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 86.040 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the seized illicit liquor was recovered from a *field*, which is an open place accessible to the general



public and, therefore, it cannot be said that the alleged recovery was made from the conscious possession of the petitioner. It is further submitted that the petitioner has been implicated in the present case because she is the registered owner of the motorcycle bearing Registration No. BR07BH-0114 which was found parked in the field, from where the alleged illicit liquor was seized. Apart from the ownership of the said motorcycle, no incriminating material has been brought on record to establish the petitioner's involvement or conscious possession of the alleged contraband. It is also pointed out that seizure list appears doubtful being not supported by independent witnesses rather than by police personnel. 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 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 her 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 Judge-II (Excise Act), Darbhanga
in connection with Bahera P.S. Case No.234 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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