

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43016 of 2026

Arising Out of PS. Case No.-144 Year-2026 Thana- KUNDWACHAINPUR District- East
Champaran

Shanichiri Devi @ Shanichari Devi W/o Satendra Mukhiya @ Satyanarayan
Mukhiya, Resident of Village -Jaitpur P.S.- Pupri, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Kundwachainpur P.S. Case No. 144 of 2026 dated 04.05.2026, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, secret information was received about three ladies selling illicit liquor in bushes at some unidentified place. The co-accused persons were apprehended and on search of the place of recovery, 137.400 litres of country made Nepali liquor was made.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and she has falsely



been implicated in the present case. Nothing incriminating has been recovered from conscious possession of the petitioner. There is non-compliance of Sections 103 and 105 of the B.N.S.S., 2023. The petitioner has no concern with the seized liquor as the petitioner is neither owner of the place from where recovery was made nor she has any knowledge about the recovery. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 05.05.2026.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner is a lady, her clean antecedent, her period of custody and the nature of recovery, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 3, East Champaran at Motihari / concerned Court, in connection with **Kundwachainpur P.S. Case No. 144 of 2026**, subject to the condition laid down under



Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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