

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44704 of 2026

Arising Out of PS. Case No.-358 Year-2025 Thana- Excise P.S. District- Muzaffarpur

Usha Devi, W/o Rajesh Sahni, Resident of Village- Kalwari, Dhamauli
Ramnath, P.S.- Kanti, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mrs. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-07-2026 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 Excise P.S. Case No.358 of 2025 registered under Sections 30(a) and 32(3) 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 28 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the 10 litres of seized illicit liquor was recovered from a Bike bearing Registration No. BR06DK-



0124 and also 18 litres of seized illicit liquor recovered from the dickey of Scooty bearing Registration No. BR06Z-2571. It is further submitted that the petitioner's name has been surfaced in the present case solely on the ground that she is the registered owner of the bike, and not on the basis of any material demonstrating her conscious possession, involvement or complicity in the alleged offence. 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, Excise-II, Muzaffarpur in connection with Excise P.S. Case No.358 of 2025, 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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