

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48095 of 2026

Arising Out of PS. Case No.-192 Year-2025 Thana- KUDHNI District- Muzaffarpur

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Rima Devi W/O Prem Kumar @ Prem Singh Resident of Village- Kishunpur
Mohini, P.S. Kudhani, District Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No. II, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kudhani P.S. Case No.192 of 2025, F.I.R dated 29.12.2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, the informant, on 29.12.2025, alleging, *inter alia*, that at about 17:45 hrs, he, along with other police officials, was checking vehicles near Chandrahati Baghmorwa. During the checking, he found that one person on a motorcycle was coming from the Chandrahati side. The said person was signaled to stop by the police; however, after stopping his motorcycle, he tried to flee but was



apprehended by the police officials. Upon being apprehended, he disclosed his name as Anish Kumar @ Anish Patel. It is further alleged that, upon search, a total of 8.700 litres of foreign liquor was recovered from a plastic bag kept on the motorcycle bearing Registration No. BR06CS-3097.

4. Learned counsel for the petitioner submits that the petitioner is the owner of the motorcycle, which was being driven by her son at the time of arrest having been made and the name of the petitioner has transpired on the basis of her being the owner of the alleged motorcycle. It has further been submitted that the recovered liquor does not belong to the petitioner and the search and seizure is said to have been made without adhering to the procedures / provisions prescribed under the B.N.S.S. Act. Lastly, it has been submitted that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or premises belonging to the petitioner and the name of the petitioner has transpired on the basis of her being the owner of



the alleged motorcycle and the petitioner has clean antecedent, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-II, Muzaffarpur, in connection with Kudhani P.S. Case No.192 of 2025 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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