

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43007 of 2026

Arising Out of PS. Case No.-47 Year-2026 Thana- EXCISE SHERGHATI District- Gaya

Bhagiya Devi Wife of Ram Garib Ram R/o Village - Rasola Dhamna, P.S.-
Barhi, District - Hazaribagh (Jharkhand).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-07-2026 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 Sherghati P.S. Case No.47 of 2026 registered under Sections 30(a) and 32 (3) of Bihar Prohibition and Excise Amendment Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 279 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the recovery of alleged illicit liquor was



made from the *Bolero* bearing Engine No. GH94L65849 which was involved in carrying illegal consignment of liquor. It is also submitted that the name of petitioner arrayed solely for the reason that petitioner is the registered owner of the said *bolero* vehicle. It is also argued that petitioner is neither connected in any manner with alleged liquor nor the petitioner was apprehended at the spot. It is further submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is also pointed out that the seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. 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 the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, who is a lady of clean antecedent, accordingly, the petitioner, above-named, 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 Excise, Court No.- 3, Gaya, in
connection with Excise Sherghati P.S. Case No.47 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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