

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50275 of 2026

Arising Out of PS. Case No.-55 Year-2025 Thana- RUPASPUR District- Patna

=====

Gauri Devi W/O Akash Dhangar R/O China Kothi, Harijan Colony, G.P.O.,
P.S.- Buddhacolony, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Rai, Adv.

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Rupaspur P.S. Case No. 55 of 2025 dated 23.01.2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation, one Monu Ram was apprehended along with a Scooty, and from the said Scooty, 25 litres of country made liquor was recovered.

4. Learned counsel for the petitioner has submitted that petitioner has been made accused in this case only because he is the registered owner of the seized Scooty in question from which the alleged recovery has been made. At the time of seizure, the Scooty was not under the control of the petitioner. It has further been submitted that the procedures prescribed under



Section 103/105 of the B.N.S.S. have not been followed in this case. It has further been submitted that the apprehended co-accused, Monu Ram has taken the Scooty of the petitioner on the pretext of some medical emergency. Lastly, it has been submitted that petitioner has got no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Heard the learned counsel for the parties and perused the record.

7. Considering the facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory 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 Judge, Danapur, Patna, in connection with Rupaspur P.S. Case No. 55 of 2025, subject to conditions as laid down under section 482(2) of the B.N.S.S.

8. The application stands allowed.

(Praveen Kumar, J)

Ankit Kumar/-

U		T	
---	--	---	--

