

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44781 of 2026

Arising Out of PS. Case No.-42 Year-2026 Thana- KOTWA District- East Champaran

Sunita Devi Wife of Bhushan Das Resident of Village- Barharwa Kala, Adiya,
P.S.- Kotwa, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ramakant Yadav, Advocate
For the Opposite Party : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-07-2026 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 Kotwa P.S. Case No.42 of 2026 registered under Section 30(a) 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 40 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 house of petitioner. It is also submitted that



name of petitioner arrayed solely on the disclosure made by the local people. It is further submitted that petitioner was not present at the spot and also she is not in any way connected with the said seized liquor and it can be safely said that recovery of illicit liquor was not made from conscious possession of this petitioner. It is also submitted 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 Judge Excise- 1, Motihari, District-
East Champaran, in connection with Kotwa P.S. Case No.42
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.)

Aniket/-

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

