

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44797 of 2026

Arising Out of PS. Case No.-311 Year-2026 Thana- NAGAR District- Vaishali

Komal Devi W/o Vikash Kumar R/o vill - Gandhi Ashram, P.S.- Hajipur
Town, Distt.- Vaishali, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Deepak Kumar Singh, Advocate
For the Opposite Party : Mr. Arun Kumar Singh, 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 Hajipur Town
P.S. Case No.311 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 189 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 Pick-up Van bearing Registration No.



BR01GN 6717 which was involved in carrying illegal consignment of liquor. It is also submitted that the name of petitioner arrayed only for the reason that she is the owner of the said vehicle. It is further argued that the said pickup vehicle was plied by hired driver 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. Explaining criminal antecedent, it is submitted that the petitioner found involved in one criminal case.

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, 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-I, cum District and Additional Sessions Judge, Vaishali at Hajipur, in connection with Hajipur Town P.S. Case No.311 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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