

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45997 of 2026

Arising Out of PS. Case No.-645 Year-2025 Thana- GAURICHAK District- Patna

Smt. Kalawati Devi, W/o Suraj Manjhi, R/o Village - Raghurampur, P.O. -
Mohanpur, P.S. - Pachrukhiya, Dist. - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-07-2026 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 Spl. No.11 of 2026 arising out of Gaurichak P.S. Case No.645 of 2025 registered under Section 30(a) of the 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 50 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for petitioner that the recovery of alleged illicit liquor was not from conscious physical possession of this petitioner. It



is submitted that the petitioner has been implicated with this case only for the reason that she is the owner of motorcycle bearing Registration No.BRO1JC3831, which found carrying illicit liquor. It is submitted that as the petitioner has given her motorcycle to one of the apprehended co-accused, namely, Abhishek Kumar to purchase the medicine from market, and, therefore, the name of petitioner has been transpired in this case, being owner of the said motorcycle. It is further submitted that the seizure list was not supported by independent witnesses rather by police personnel. The 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 of note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, accordingly, the petitioner, above-named, who is a lady of clean antecedent, 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 Court of Excise, Patna City in connection with Special No.11 of 2026, arising out of Gaurichak P.S. Case No.645 of 2025, 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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