IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77372 of 2026

CNR No. BRHC011037852026

Arising Out of PS. Case No.-45 Year-2026 Thana- CHAPRA RAIL P.S. District- Saran

==========

Bichhiya Devi @ Bichchiya Devi @ Bachiya Dev @ Machhiya Devi @ Machiya Devi W/O Kusheshwar Sahani R/O Village- Bikrampur, Ward No. 14, P.S.- Sahdei, Dist.- Vaishali.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Ravikant
For the Opposite Party/s : Mr.Arun Kumar

==========

CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

2 28-10-2026 Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor on behalf of the State.

2. The petitioner has been languishing in custody since 01.03.2026, and has been made an accused of the offences registered under Section 30(a) of the Bihar Prohibition & Excise Act-2018, in connection with Rail Chapra P.S. Case No. 45/2026.

3. As per the allegation in the FIR, 29.04 liters of the country made liquor was recovered from the Train, out of which 13.92 liters of country made liquor was recovered from the possession of petitioner.

4. Learned counsel for the petitioner submits that she was

WEB COPY

a passenger travelling on a train and had no knowledge of the said articles having been concealed there. The learned counsel further submits that provisions of Sections 103 and 105 of the BNSS have not been complied with. Learned counsel next submits that the petitioner has one case against her in which she is already on bail. The Learned counsel further submits that petitioner has been languishing in custody since 01.03.2026. Learned counsel further submits that the petitioner undertakes to co-operate with the investigation and the trial and not to repeat any offence in near future.

5. Learned APP appearing on behalf of the State has opposed the application.

6. Taking into consideration the aforesaid facts, the prayer for bail is allowed and the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Learned Court of 3rd Exclusive Excise Court, Saran in connection with Rail P.S. Chapra Case No. 45/2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of the trial.

(ii) One of the bailors must be a close relative of the

WEB COPY

petitioner, such as his mother, father, brother, sister or wife.

(iii) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any case other than the one case mentioned in the para-3 of the bail petition i.e. Desari(Sahdei) P.S. Case No. 273 of 2025, her bail bond shall not be accepted.

(iv) The petitioner will appear on each and every date fixed by the trial court and if he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(v) It is also made clear that there shall be no delay in verifying the criminal antecedents of the petitioner, and the delay shall not extend beyond a period of ten days.

(vi) If he repeats any offence of a similar nature, his bail bond shall be liable to be cancelled immediately by the learned court below.

(Raj Kumar, J)

ashutosh/-

U			

WEB COPY