

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77932 of 2025

Arising Out of PS. Case No.-193 Year-2025 Thana- EXCISE UDAKISHUNGANJ District-
Madhepura

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Tara Devi Wife of Mithilesh Mehta @ Mithlesh Mehta R/o Village-
Kumarpur, Ward No. 04, P.S.- Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 06-01-2026 Heard the learned counsel for the petitioner and

learned APP for the State.

2. Petitioner, who is in custody, seeks bail in
connection with Udakishunganj Excise P.S. Case No. 193 of
2025 registered for the offence(s) punishable under Section(s)
30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant received
secret information that the petitioner was selling codeine cough
syrup from her house. Pursuant thereto, a raid was conducted,
the petitioner was apprehended and upon search, a total of 80
bottles of cough syrup, each containing 100 ml, totalling 8 litres
of codeine cough syrup were recovered.

4. The learned counsel for the petitioner submits that

the petitioner is a lady and has committed no offence. It is further submitted that no recovery has been made from the conscious possession of the petitioner and that she had no knowledge of any such narcotic substance being kept in her house. The learned counsel lastly submits that the petitioner has clean antecedent and she is in custody since 08.10.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Regard being had to the facts and circumstances of the case and taking note of the fact that the petitioner has remained in custody since 08.10.2025, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Udakishunganj Excise P.S. Case No. 193 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be the local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in

violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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