IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56464 of 2026

Arising Out of PS. Case No.-122 Year-2026 Thana- Raghunathpur District- East Champaran

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Pinki Devi W/o Sanjeet Sah @ Sandeep Sah Resident of village - Balganga Laxmipur, P.S - Raghunathpur, District - East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 19-08-2026 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Raghunathpur P.S. Case No. 122 of 2026 registered for the alleged offences under Sections 274, 275, 123, 110 of BNS and Section 30(a) of Bihar Prohibition and Excise Act.

03. As per prosecution case, co-accused Jimbu Baitha was apprehended with 25 litres of spirit. At his instance, further recovery of 4.800 litres of spirit and some other articles were made from the bank of Dhanauti river. The name of the petitioner transpired during investigation for being involved in the trade of illicit spirit.

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04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner and she was made accused in this case merely on suspicion by the police. From the rejection order, it appears that the petitioner was named in this case in the supervision note which has go no legal sanctity. Co-accused was in custody from the beginning but he did not take the name of the petitioner, who is in custody since 08.06.2026. The petitioner is having antecedent of three cases and she is on bail in such two such cases.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and was not even named in the FIR and further considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, East Champaran, Motihari/concerned Court in

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connection with Raghunathpur P.S. Case No. 122 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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