

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59154 of 2024**

Arising Out of PS. Case No.-257 Year-2024 Thana- DARIYAPUR District- Saran

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Gyatri Devi @ Gayatri Devi @ Sawitri Devi WIFE OF LATE BALESHWAR  
SAH @ LATE BALESWAR SAH R/O VILLAGE- SARAIYA @ SARAIA,  
PS- DARIYAPUR, DIST- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      19-09-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending her arrest in connection with Dariyapur P.S. Case no.257 of 2024 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that on information having been received about the petitioner and her son being involved in sale of illicit liquor, a raid was conducted. While the petitioner along with her son managed to escape, 6 liters of country liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No



incriminating article has been recovered from her possession. She happens to be an old lady and has been falsely implicated in the case for oblique reason. The petitioner has no criminal antecedent. It is further submitted by learned counsel for the petitioner that there is an error of record in the order of the learned Court below rejecting the anticipatory bail of the petitioner wherein it has been mentioned that the petitioner is in custody since 2.3.2024. It is submitted that from a complete reading of the order of the learned trial Court, it would be evident that the same was an application for anticipatory bail.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner who happens to be a lady, no incriminating article having been recovered from her possession and specially the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of her arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Dariyapur P.S. Case no.257 of 2024 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 1<sup>st</sup> Exclusive Special Excise Court, Saran at Chapra, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

**(Partha Sarthy, J)**

Saurabh/-

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