

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70274 of 2025

Arising Out of PS. Case No.-1231 Year-2023 Thana- Excise P.S. District- West Champaran

Lakshmini Devi W/O Sunil Ram Resident of village- Bankatawa, Ward No.-
11, P.S.- Paharpur, District- East Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Mohan, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-10-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Bettiah Excise P.S. Case No. 1231 of 2023 for the offence registered under section 30(a) of the Bihar Prohibition and Excise Act lodged on 28.12.2023 by the informant, Shankar Kumar Mandal.

3. As per the prosecution story, the informant alleges that on secret information, a motorcycle was intercepted and there is recovery/seizure of 7.2 litres of foreign wine from the dickey, this led to the FIR.

4. Learned Counsel for the petitioner submits that she being the lady, only because owns the motorcycle, got implicated. She never had taken the vehicle.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the



petitioner is owner of the vehicle.

6. Taking into account the aforesaid submission as also that nothing has been recovered from her conscious possession, only because of vehicle, the FIR is there against her, in that background, this Court is inclined to grant him the anticipatory bail.

7. However, if it is found that contrary to the statement made in paragraph 3, the petitioner has criminal antecedent, the present order shall become infructuous.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge- Excise-I, Bettiah, West Champaran in connection with Bettiah Excise P.S. Case No. 1231 of subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor of the petitioner(s) should be the family members/relatives/distant relatives of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner(s) shall appear on each and every date before the Trial court and failure to do so for two



consecutive dates without plausible reason will entail
cancellation of his bail bond by the Trial court itself;

(iii) the petitioner(s) shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Raj Ranjan/-

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