

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73184 of 2025

Arising Out of PS. Case No.-92 Year-2017 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Sarda Manjhi @ Sarda Devi D/o Bahal Manjhi, W/o Sudarshan Manjhi R/o
Village- Khiriyawan, P.S.- Magadh Medical, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Ms. Asha Devi, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-10-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered
for the offences punishable under Section 30(a)(d) of the Bihar
Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that the case
is of the year 2017 but then the petitioner was completely unaware
that she has been implicated in a case relating to excise as the police
never made any endeavours to arrest her and allegation is of recovery
of liquor from sixteen different places out of which two liters of
liquor along with 150 litres of raw material is alleged to have been
recovered from the house of the petitioner but then the house of the
petitioner is a joint family property, as such, it cannot be alleged with
certainty that it was the petitioner who had kept the liquor and the
raw material in the house or the liquor and the raw material kept in
the house was within her knowledge.



4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that petitioner has approached this Court after eight years of the occurrence, as such, it is not a fit case for grant of anticipatory bail.

5. The Court is in complete agreement with the submissions made by the learned A.P.P. for the State.

6. Learned counsel for the petitioner, at this stage, seeks permission to withdraw the anticipatory bail application with liberty to the petitioner to move before the learned trial court for seeking regular bail.

7. Permission is accorded.

8. Accordingly, the anticipatory bail application is dismissed as withdrawn in connection with Magadh Medical P.S. Case No. 92 of 2017 pending in the Court of learned Exclusive Special Excise Court No. IV, Gaya Ji/Successor Court.

9. It is made clear that if any application on behalf of the petitioner is filed seeking regular bail, the learned trial court shall decide the case on its own merit without being influenced by the fact that petitioner before this Court has withdrawn the anticipatory bail application.

(Satyavrat Verma, J)

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