

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86258 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- Ratanpur District- Begusarai

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Mina Devi @ Buchaniya W/o Naresh Chodhari @ Naresh Choudhari R/O
Vill.- Telia Pokhar, P.S.- Ratanpur, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the State : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-12-2025 No one appears on behalf of the petitioner though
State is present.

2. The petitioner is apprehending her arrest in connection with Ratanpur P.S. Case No. 94 of 2025 for the offence under sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 14.11.2025 by the informant, Annu Priya.

3. As per the prosecution story, the informant alleged that on secret information, the place was raided and there is recovery/seizure of total 4 liter country made liquor. This led to the FIR.

4. A perusal of the F.I.R. would show that there is no criminal antecedent of the petitioner nor anything recovered from her conscious possession.

5. Further, the judgment of the Full Bench of Hon'ble



Patna High Court in the case of **Ram Vinay Yadav vs. State of Bihar** reported in **2019 (2) PLJR 1089** wherein it has been held that an application for anticipatory bail in a case arising out of Bihar Excise and Prohibition Act can be maintained, despite the bar under Section 76(2) of the Act, if on the basis of allegation made in the FIR, no offence under the said provision is made out.

6. Learned APP opposes the prayer.

7. Taking into account the aforesaid facts and the judgment in the case of **Ram Vinay Yadav (supra)**, as also that she is a lady having no criminal antecedent nor anything has been recovered from her conscious possession, in that background, this Court is inclined to extend her the privilege of anticipatory bail with conditions.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.1, Begusarai, in connection with Ratanpur P.S. Case No. 94 of 2025 subject to the following conditions:

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

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

(Rajiv Roy, J)

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