

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3581 of 2026

Arising Out of PS. Case No.-603 Year-2025 Thana- LAHERIYASARAI District- Darbhanga

1. Laliya Devi W/O Harichandra Paswan @ Ramchandra Paswan Resident of Village- Saidnagar, P.S.- Laheriasarai, Dist- Darbhanga
2. Pinki Devi W/O Mukesh Paswan Resident of Village- Saidnagar, P.S.- Laheriasarai, Dist- Darbhanga
3. Domni Devi W/O Dinesh Paswan Resident of Village- Saidnagar, P.S.- Laheriasarai, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case under the Excise Act and are women and allegation is of recovery of 134.40 litres of liquor a hut situated beside the house of the petitioners. It is next submitted that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession



and even alleged recovery is from a place which does not belong to the petitioners but then is adjacent to their house and they came to be implicated at the instance of local person but then it is submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of Chowkidar, local person, confessional statement or secret information without holding a proper investigation.

4. Learned A.P.P. opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-II, (Excise Act), Darbhanga in connection with Laheriasarai P.S. Case No.603 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after



accepting the provisional bail bond of the petitioners shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioners have antecedents of more than one case, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioners has antecedent of only one case, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, learned counsel for the petitioners, based on instruction, submits that petitioners undertake to deposit an amount of Rs.1500/- each with Advocates' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

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