

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7857 of 2026

Arising Out of PS. Case No.-427 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhojpur

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Samlawati Devi @ Samalavati Devi W/o Sunil Kumar Thakur Resident of
Village- Rajpur, Raghunathpur, P.S.- Bagengola, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan
For the Opposite Party/s : Ms.Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-02-2026 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Excise Police Station Case No. 427 of 2021, dated 25.09.2021, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, during Patrolling, saw a person coming on a motorcycle with a gunny bag tied therein and intercepted him, but on seeing the police, the rider tried to flee away and succeeded in the same. On search of the motorcycle, the police recovered 15 litres of illicit country-made liquor from the said motorcycle.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case because she happens to be the registered owner of the motorcycle in question. He further submits that the petitioner has given the motorcycle, after purchasing the same in her name, to the husband of her daughter in her marriage as gift in the year 2017. The said motorcycle got stolen in the year 2018 itself and the in-laws tried to lodge First Information Report for the same, but the First Information Report was not registered. He further submits that the petitioner is a lady and has got no criminal antecedent.
5. Considering the justification given by the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. II, Bhojpur, at Ara, in connection with Excise



Police Station Case No. 427 of 2021, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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