

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12717 of 2026

Arising Out of PS. Case No.-765 Year-2025 Thana- BODHGAYA District- Gaya

Raj Kaliya Devi Wife of M. P. Manjhi Resident of Village- Hathiar PS- Bodh
Gaya Dist -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Sinha

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-03-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of her
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and is a woman
and allegation is of recovery of 05 litres of liquor from the
house of Vijay Manjhi and 05 litres of liquor from the house of
M.P. Majhi.

4. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant being wife of M.P. Manjhi. It is next submitted that
even the house in question is a joint family property and thus, it



cannot be alleged with certainty that it was the petitioner, who had kept the liquor in the house or the liquor kept in the house was within her knowledge and she came to be implicated based on secret information, which is the easiest way to implicate someone without holding a proper investigation. It is reiterated and submitted that petitioner is a person with clean antecedent.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on her furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Bodh Gaya P. S. Case No.765 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is



found that petitioner has antecedent of even one case, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed her 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 petitioner is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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