

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14269 of 2026

Arising Out of PS. Case No.-282 Year-2025 Thana- BELHAR District- Banka

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1. Meena Devi W/o Prakash Yadav R/o Village - Amgarwa, P.S - Belhar, District - Banka
 2. Pappu Yadav S/o Prakash Yadav R/o Village - Amgarwa, P.S - Belhar, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-03-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2022.

3. Learned counsel for the petitioners submits that petitioner no.1 has antecedent of three cases, out of which, two cases are under the Excise Act and is a woman and petitioner no.2 has antecedent of six cases and allegation is of recovery of 65 litres of liquor from a hut located in the cattle shed of the petitioners. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their



conscious possession. It is asserted and submitted that at Para-10, it has been specifically pleaded that the hut from which the alleged recovery is shown does not belong to the petitioners and they came to be implicated based on secret information which is the easiest way to implicate someone. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either through chowkidar, local person, confessional statement or secret information without holding a proper investigation.

4. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners and submits that petitioner no.2 has antecedent of six cases of serious nature and if the privilege of anticipatory bail is granted to the petitioner no.2, in that event, he may abscond but then fairly submits that petitioner no.1 is a woman and is a senior citizen aged about 70 years.

5. After hearing the learned counsel for the parties, the petitioner no.1, above-named, in the event of her arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.15,000/- (Rupees fifteen thousand) 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 Belhar P.S. Case No.282/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioner no.1 and in the event if it is found that petitioner no.1 has antecedent of more than three cases, in that event, it would be presumed that petitioner no.1 had concealed her antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with but if after verification it is found that petitioner no.1 has antecedent of three cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

7. However, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner no.2, namely, Pappu Yadav, considering his criminal antecedent.

8. The anticipatory bail application of petitioner no.2 is rejected.

(Satyavrat Verma, J)

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