

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17297 of 2026

Arising Out of PS. Case No.-312 Year-2025 Thana- VIJAYEPUR District- Gopalganj

1. Munni Devi W/O Harendra Mandal Resident of Village- Mathiya Musahar Toli, P.S- Vijaypur, District- Gopalganj.
2. Dukhani Mandal @ Dukhanti Mandal S/O Late Banshi Mandal Resident of Village- Mathiya Musahar Toli, P.S- Vijaypur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2026 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 the Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no. 1 is a woman and allegation is of recovery of 31 litres of liquor from sacks.

4. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even the alleged recovery is from a place which does not belong to the



petitioners and is accessible to villagers at large. It is further submitted that petitioners came to be implicated at the instance of the Chawkidar with whom husband of the petitioner no. 1 is on an inimical term. It is next submitted that if the Chawkidar was aware of the involvement of the petitioners in the occurrence then why he did not inform the police prior to the institution of the instant FIR which casts an aspersion on the case of the prosecution. It is also submitted that this perhaps explains why the Chawkidar implicated the petitioner no. 1 along with her brother-in-law, when petitioners admittedly are persons with clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five Hundred) each 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 Vijaipur P.S. Case No. 312 of 2025, subject to the conditions as laid down under Section 438(2) of



the Cr.P.C./482(2) of the B.N.S.S.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and if it is found that petitioners have antecedent of even one case, it would be presumed that petitioners had concealed their antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioners are persons with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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