

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16903 of 2026

Arising Out of PS. Case No.-873 Year-2025 Thana- KADAMKUAN District- Patna

Gani Devi @ Gyani Devi @ Gani W/o Akhilesh Kumar @ Akhilesh Chauhan
R/o Railway Hunter Road, Under Rajendra Nagar, Over Bridge, P.S.-
Kadamkuan, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh No. I

For the Opposite Party/s : Mr.Kanhiya Kishor

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act in connection with Kadamkuan P.S.Case No 873/2025.

3. The prosecution case, in short, is that on the basis of information, the police raided Ambedkar Bhawan and arrested co-accused Manoj Singh and seized 18 litres of country-made liquor. Thereafter, one Sonu Kumar was arrested and 11 litres of country-made liquor was seized. The police also seized 12 litres of country-made liquor from under an over-bridge of Rajendra Nagar. The name of the petitioner surfaced



on the disclosures made by the persons assembled at the place of occurrence.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case on the basis of suspicion and nothing has been recovered from her conscious physical possession.

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

6. Although, the petitioner has two criminal antecedents, which have been disclosed in para-3 of the bail application, what is evident that the petitioner was not apprehended on the spot and, therefore, no recovery has been made from the conscious physical possession of the petitioner. The recovery has been made from an open place under the over-bridge of Rajendra Nagar and the name of the petitioner appears to have surfaced on the basis of alleged disclosures made by other persons.

7. Considering all these aspects of the matter, I am inclined to grant privilege of anticipatory bail to the petitioner.

8. Let the petitioner, as named above, in the event of her arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees



Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise 2nd Patna in connection with Kadamkuan P.S.Case No. 873/2025, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to further condition that :-

(i) the petitioner shall co-operate in the investigation/ trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed her criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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