

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 17611 of 2026

Arising Out of PS. Case No.-378 Year-2024 Thana- SIRDALA District- Nawada

Rajiya Devi @ Radhiya Devi W/O Janki Yadav R/O Vill.- Dhab, P.S.-
Sirdalla, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Sonam Kumari, Adv

For the Opposite Party/s : Mr. Nand Kumar, Adv

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 connection with Sirdalla P.S. Case No. 378 of 2024, registered for the offence punishable under Sections 30(a), 41 of Bihar Prohibition and Excise Act, 2016.

3. The case of the prosecution, in short, is that on 10.10.2024 at about 00:35 hours, the police proceeded to vicinity of the hut-like dwelling belonging to Ramchandra Prasad situated on the edge of the Bahuara forest. Upon arrival, it was observed that a group of 5–6 persons were engaged in packaging liquor. Upon seeing the police, they tried to flee away



but one was apprehended. Upon query, the apprehended person identified himself as Ramchandra Prasad and identified the fleeing persons 1. Ajay Singh, 2. Virendra Ghatwar, 3. Vijay Ghatwar, 4. Sunil Yadav and 5. Lallu Yadav. During search, a total of 770 liters of country-made Mahua liquor was recovered from hut-like dwelling and four motorcycles were recovered from outside the hut.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that the petitioner has been implicated because she is the owner of the seized motorcycle. Nothing has been recovered from the conscious physical possession of the petitioner. He further submits that the petitioner has no criminal antecedent.

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

6. From the reading of the FIR, it appears that the recovery of liquor has been made from a hut, which does not belong to the petitioner. A motorcycle that was parked nearby the hut which happens to be in the name of the petitioner, is perhaps the reason why the petitioner's name has surfaced in this case. No recovery has been made from the conscious



physical possession of the petitioner and also taking into account that the co-accused persons have been granted anticipatory bail vide order dated 17.01.2025 passed in Cr. Misc. No. 390 of 2025 and order dated 10.11.2025 passed in Cr. Misc. No. 74397 of 2025, which have been brought on record by way of Annexure-P/2 and P/3 respectively and also the fact that the petitioner has no criminal antecedent, this Court is inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, named above, in the event of her arrest or surrender before the Court below within four weeks from today, 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 the learned Exclusive Special Excise Judge-1, Nawada in connection with Sirdalla P.S. Case No. 378 of 2024, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 as also 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 his 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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