

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18571 of 2026

Arising Out of PS. Case No.-601 Year-2025 Thana- TRIVENIGANJ District- Supaul

1. Navita Devi W/o- Mukesh Sardar Resident of Village- Narha Ward No. 16, P.S- Triveniganj, District- Supaul
2. Sharda Devi W/o- Bhola Sardar Resident of Village- Narha Ward No. 16, P.S- Triveniganj, District- Supaul
3. Bhola Sardar S/o- Late Fagu Sardar Resident of Village- Narha Ward No. 16, P.S- Triveniganj, District- Supaul
4. Chunchun Sardar @ Chunchun S/o- Bhola Sardar Resident of Village- Narha Ward No. 16, P.S- Triveniganj, District- Supaul
5. Mukesh Sardar @ Mukesh Kumar S/O Bhola Sardar Resident of Village- Narha Ward No. 16, P.S- Triveniganj, District- Supaul
6. Kalanand Sardar S/o- Bhola Sardar Resident of Village- Narha Ward No. 16, P.S- Triveniganj, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-05-2026 Heard the parties through virtual mode.

2. The petitioners are apprehending arrest in connection with Triveniganj P.S. Case No. 601 of 2025 instituted under Section 191(2), 191(3), 190, 115(2), 121(1), 132, 125 and 324(4) of the BNS lodged on 19.12.2025 by the informant, Sonu Kumar.

3. As per the prosecution story, the informant alleged that on secret information of manufacturing of liquor by Mukesh Sardar, the place was raided and certain half



manufactured local liquor were also recovered/seized. However, when the Police wanted to take action against Mukesh Sardar, those present and named in the FIR, started protesting and in the process, resorted to brick bats causing injury to the police men as also damaged of the police vehicles. This led to the FIR.

4. Learned counsel for the petitioners submit that the people of the entire area have been rounded off, the ladies included were part of the anticipatory bail application. None of them have criminal antecedent and were present there, got implicated.

5. The last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioners intends to contribute Rs.1000/- each to the Chief Minister's Relief Fund through Demand Draft issued by the local branch of the State Bank of India.

6. Further, learned counsel for the petitioners relied on the judgment of the Full Bench of Hon'ble Patna High Court in the case of **Ram Vinay Yadav vs. State of Bihar** reported in **2019 (2) PLJR 1089** wherein it has been held that an application for anticipatory bail in a case arising out of Bihar Excise and Prohibition Act can be maintained, despite the bar under Section 76(2) of the Act, if on the basis of allegation



made in the FIR, no offence under the said provision is made out.

7. Learned APP opposes the prayer submitting that not only they opposed the arrest of the Mukesh Sardar, they also resorted to brick bats.

8. Taking into account the submissions of the parties and the judgment in the case of **Ram Vinay Yadav (supra)**, as also the allegation being omnibus in nature, they do not have any criminal antecedent, some of them are ladies, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.1000/- each to the Chief Minister's Relief Fund through Demand Draft issued by the local branch of the State Bank of India.

9. Let the petitioners be released on bail, in the event of their arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Triveniganj P.S. Case No. 601 of 2025 to the satisfaction of learned Exclusive Special , Excise Court-I, Supaul subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.



(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) The petitioners shall be appearing before the police station as and when required for cooperating in the investigation;

(iii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Ravi/ S. Prasad

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