

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18914 of 2026

Arising Out of PS. Case No.-23 Year-2025 Thana- EXCISE BIRAUL District- Darbhanga

Sanjula Devi W/o Indal Paswan R/o Village- Lohani, Ward No.-02, P.S.-
Biraul, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Praveen

For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-04-2026 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Excise Police Station Biraul Case No. 23 of 2025,
disclosing offences under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

3. As per the prosecution case, on the alleged date
and time, the informant, acting on directions of senior police
officials, proceeded with a police party to conduct a raid and
vehicle checking near Lohani More to apprehend liquor traders.
During the checking, a motorcycle rider was intercepted, who
disclosed his identity upon inquiry. Upon search, recovery of 4
liters of illicit country-made liquor was made from the dickey of
the motorcycle bearing registration no. BR07AQ-1481.



Consequently, a seizure list and arrest memo were prepared. On the basis of the informant's written report, a case was instituted against Indal Paswan and investigation was initiated.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case, being merely a victim of circumstances. She was neither named in the F.I.R. nor present at the place of occurrence, and no incriminating article has been recovered from her conscious possession. She has been made accused merely on the basis of her being the registered owner of the motorcycle. It is further submitted that the motorcycle was being driven by her husband, and the petitioner had no knowledge of its alleged use in the commission of the offence, nor any connection with the seized liquor. Moreover, the co-accused, from whom the alleged recovery was made, has already been granted bail by the learned court below.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner has been made accused merely on the basis of her being the registered owner of the seized motorcycle, the arrested co-accused person has been granted bail by the learned Court below and the petitioner is having no criminal antecedent , I am



inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Special Judge-I, (Excise Act), Darbhanga, in connection with Excise Police Station Biraul Case No. 23 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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