

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20777 of 2026

Arising Out of PS. Case No.-30 Year-2026 Thana- JANTA BAZAR District- Saran

Gyanti Devi W/O Rajesh Ravat @ Rajesh Raut R/O Village- Khurd Lauwa,
P.S.-Janta Bazar, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the State : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-04-2026 Heard the parties.

2. The petitioner is apprehending her arrest in connection with Janta Bazar P.S. Case No. 30 of 2026 for the offence under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 08.02.2026 by the informant, Raju Kumar.

3. As per the prosecution story, the informant alleged that on secret information, the place was raided and further there is recovery/seizure of 20 liter country made liquor, the Chowkidar named the lady. This led to the FIR.

4. Learned counsel for the petitioner submits that only because of criminal antecedent, she has repeatedly been framed in the case, further, if granted relief this time, she shall ensure that in no way she comes anywhere near to the said places which leads her implication.

5. Further, learned counsel for the petitioner 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.

6. Learned APP opposes the prayer submitting that the lady has criminal antecedent.

7. Taking into account the submissions of the parties and the judgment in the case of **Ram Vinay Yadav (supra)**, as also that though the lady has criminal antecedent, nothing has been recovered from his conscious possession, the submission is that the Chowkidar is inimical to her and has framed her, she shall be submitting a petition to the Superintendent of Police in this regard, in that background, this Court is inclined to extend her the privilege of anticipatory bail with conditions.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court-3, Saran



at Chapra in connection with Janta Bazar P.S. Case No. 30 of 2026 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner 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 his bail bond by the Trial Court itself;

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

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

