

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22260 of 2026

Arising Out of PS. Case No.-211 Year-2025 Thana- RASULPUR District- Saran

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1. Durgavati Devi Wife of Sukhdev Yadav R/o Village - Khanpur, P.S. - Manjhi, Dist. - Saran.
 2. Ankit Kumar Yadav @ Ankit Kumar Son of Sukhdev Yadav R/o Village - Khanpur, P.S. - Manjhi, Dist. - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no. 1 is a woman and allegation is of recovery of 28.8 liters of liquor from a scooty.

4. Learned counsel for the petitioners submits that petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, it is next



submitted that petitioner no. 1 came to be implicated based on the fact that she is owner of the seized scooty, it is next submitted that no prudent person would use her own vehicle for committing an occurrence and thus would create evidence against herself and hence would get implicated. It is also submitted that it is not the case of the prosecution that they saw a woman fleeing from the place of occurrence, it is also submitted that petitioner no. 2 came to be implicated at the instance of local person but then the name of the person who disclosed the name of petitioner no. 2 is not disclosed in the FIR which casts as aspersion on the case of the prosecution when petitioner no. 2 has not been implicated based on secret information and admittedly he is a person with clean antecedent.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, are directed to be released on provisional anticipatory bail on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Rasulpur P.S. Case No. 211 of 2025



subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioners have antecedent of even one case then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioners have clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Gaurav Sinha/-

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