

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42090 of 2026

Arising Out of PS. Case No.-38 Year-2026 Thana- BADHAILA District- Rohtas

1. Vifendra Ram @ Vifendra Paswan S/O Late Vakil Paswan R/O Village- Rampur, P.S.- Baghaila, Distt.- Rohtas.
2. Rinku Devi W/O Vifendra Paswan @ Vifendra Ram R/O Village- Rampur, P.S.- Baghaila, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Singh

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-06-2026 1. Heard learned counsel for the petitioners and learned APP for the State.

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

3. The learned counsel for the petitioners submits that the petitioners have antecedent of one case and is a woman and the allegation is of recovery of 10 litres of liquor from straw house of the petitioners.

4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even alleged



recovery is from a straw house which is outside the house and is accessible to public at large. It is next submitted that no prudent person would use his/her own straw house for committing a crime and thus, would create evidence against themselves and hence, would get implicated. It is next submitted that someone inimical to the family concealed the meager amount of liquor in the house without knowledge of the petitioners and they came to be implicated at the instance of local person, but then, it is submitted that it does not appear probable that local person would have known who had concealed the liquor in the straw house.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) 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 Baghaila P. S. Case No.38 of 2026, subject to



the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioners have antecedent of one case, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioners have antecedent of only one case, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

vikash/-

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

