

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47581 of 2026**

Arising Out of PS. Case No.-190 Year-2026 Thana- HARSIDHI District- East Champaran

Manju Devi W/O Bali Sahani R/O Village- harsiddhi Pakariya, Gulariya,  
Ward No.-07, P.S.- Harsiddhi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mrs. Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      22-07-2026      Heard the parties.

2. The petitioner is apprehending her arrest in connection with Harsidhi P.S. Case No. 190 of 2026 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 05.04.2026 by the informant, Paras Nath Choudhary.

3. As per the prosecution story, the Police, on secret information, raided the two houses of Dhanilal Manjhi and Bali Sahani and there is recovery of 10 liters each country made liquor from their respective houses. The petitioner is a wife of Bali Sahani who was found leaving the place in hurry. This led to the FIR.

4. Learned counsel for the petitioner submits that only because she is a wife of Bali Sahani, got implicated, she has no



criminal antecedent and is a housewife.

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.

7. Taking into account the submissions of the parties and the judgment in the case of **Ram Vinay Yadav (supra)**, as also that she is a lady and do not have any criminal antecedent, in that background, this Court is inclined to extend her the privilege of anticipatory bail with conditions.

8. If, however, it is found that contrary to the statement made in paragraph-3, the petitioner has criminal antecedent, the present order shall become infructuous.

9. 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 No. 1, East Champaran,



Motihari in connection with Harsidhi P.S. Case No. 190 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 her 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 her bail bonds.

**(Rajiv Roy, J)**

Adnan/-

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