

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 51242 of 2026

Arising Out of PS. Case No.-83 Year-2026 Thana- ISMAILPUR District- Bhagalpur

Sunita Pandey W/o Deendayal Pandey @ Dindayal Pandey R/o Mohalla-
Vrindawanpur @ Brindabanpur, P.S.- Nirsa, Dist.- Dhanbad, Jharkhand
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey
For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-07-2026 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends her arrest in connection with Ismailpur P.S. Case No. 83 of 2026, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The police in course of patrolling intercepted a mini Hyva which was carrying illicit liquor. In course of search total 2925 Indian made foreign liquor was recovered. The driver of the Hyva namely, Kundan Kumar was also apprehended at the place of occurrence.

4. Learned Advocate for the petitioner submitted that the name of the petitioner has been implicated in this case by virtue of she being the owner of the vehicle in question. However, the said Hyva was handed over to one Manoj Kumar



Yadav under an agreement on 27.03.2026 for the period of 11 months and the copy of the agreement has been placed on record as Annexure P/2. It is submitted that the petitioner is a lady having fair antecedent and only on account of the aforesaid reason her name has been implicated in this case. During course of investigation, no material has collected which suggests the complicity of the petitioner in the crime and, as such, the rigors provided under Section 76(2) of the Excise Act would not be applicable.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application.

6. Having considered the submissions advanced on behalf of the respective parties and considering the materials available on record especially the fact that only by virtue of the petitioner being the owner of the vehicle in question, her name has been implicated, besides the petitioner is a lady having fair antecedent and lack of material to attract legal bar to consider the plea of anticipatory bail, let the petitioner abovenamed be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of the learned Special Judge Excise-1, Bhagalpur in connection with Ismailpur P.S. Case No. 83 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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