IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75829 of 2026

CNR No. BRHC011117192026

Arising Out of PS. Case No.-968 Year-2026 Thana- Excise P.S. District- Gaya

==========

Sneha Kumari Rao, aged about 25 years (female),D/o-Mahesh Rao, resident of village-Manpur Shivcharan Lane, P.S.-Buniyadganj, District-Gaya

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Vijay Kumar, Advocate
For the Opposite Party/s : Mr.Rajesh Kumar, APP

==========

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-11-2026 Heard the parties.

2. The petitioner is apprehending arrest in connection with Excise P.S. Case No. 968 of 2026 instituted under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act lodged on 21.07.2026 by the informant, Yaswant Kumar.

3. As per the prosecution story, the police intercepted a Scooty and though he tried to escape, was apprehended and there is recovery/seizure of 06 liters of foreign beer. This led to the FIR.

4. Learned counsel for the petitioner submits that only because of ownership of the vehicle, she got implicated. I twas taken by the family member, Bikki Kumar who has since been arrested. The lady has no criminal antecedent.

WEB COPY

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 of 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 she owns the Scooty.

7. Considering the submissions of the parties aforesaid and the judgment of **Ram Vinay Yadav (supra),** as also that the petitioner do not have criminal antecedent nor nothing has been recovered from her conscious possession, in that background, this Court is inclined to extend her the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned court 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 the like amount each in connection with Excise P.S. Case No. 968 of 2026 to the satisfaction of learned Excl. Spl. Excise

WEB COPY

Court No.3, Gaya subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 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;

(iii) 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;

(iv) 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)

Ravi/-

U		T	

WEB COPY