IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80681 of 2026

CNR No. BRHC011133592026

Arising Out of PS. Case No.-232 Year-2026 Thana- TRIVENIGANJ District- Supaul

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Basanti Devi Wife of Dayanand Sardar R/o village - Gajhar, Lakharaj Ward No. 01, P.S.- Triveniganj, District - Supaul.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Naresh Kumar Mehta, Adv.
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 25-11-2026 Heard the learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Triveniganj P.S. Case No. 232 of 2026, S.T. Excise No. 585 of 2026, F.I.R dated 14.06.2026 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition Excise Amendment Act, 2022.

3. According to prosecution case, the informant submitted a typed written report, pursuant to which Triveniganj P.S. Case No. 232/2026 was registered. It is alleged that on 14.06.2026, at about 14:10 hours, while the informant was on evening patrolling with the police force, he received information at Badur Chowk that Basanti Devi was selling liquor at her

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house. Accordingly, he, along with the Chowkidar, reached her house for verification, where a woman was seen fleeing through a narrow passage. Despite attempts to apprehend her, she escaped by taking advantage of the dense population. On enquiry, the local people and the Chowkidar identified her as Basanti Devi. During the search of the house, 20 litres of Desi Chulai liquor in different gallons were allegedly recovered. As no local person agreed to become an independent seizure witness, the members of the raiding party were made witnesses to the seizure list, which was prepared accordingly.

4. Learned counsel for the petitioner, by referring to the seizure memo, submits that the place of recovery is shown in a house which does not belong to this petitioner, and merely because of his antecedent, this petitioner has been implicated in this case. However, he is currently on bail, and he undertakes to co-operate with the investigation.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances, particularly the fact that the alleged recovery has been made from a house which does not belong to the petitioner, coupled with the submission that his implication is based merely on his

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antecedent, that he is presently on bail and is willing to co-operate with the investigation, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court-1st, Supaul at district-Supaul, in connection with Triveniganj P.S. Case No. 232 of 2026, S.T. Excise No. 585 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) 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

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cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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