

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88969 of 2025

Arising Out of PS. Case No.-1227 Year-2025 Thana- ALAMGANJ District- Patna

Manju Devi Wife of Late Sanjay Choudhary R/O Vill.- Hanuman Ghat, P.S.-
Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nikhil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends her arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

3. Learned counsel for the petitioner submits that petitioner has antecedents of two cases under the Excise Act and is a woman and allegation is of recovery of 15 litres of liquor from a blue coloured sack. It is next submitted that petitioner was not arrested from the spot, as such, nothing was recovered from her conscious possession and even alleged recovery is from a place which does not belong to the petitioner and is accessible to public at large and she came to be implicated at the instance of local person but the name of the person who



disclosed the name of the petitioner is not disclosed in the FIR which casts an aspersion on the case of the prosecution. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of Chowkidar, local person, confessional statement or secret information without holding a proper investigation.

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

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on her furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court of Excise, Patna City in connection with Alamganj P.S. Case No.1227 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify



the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than two cases, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed her 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 petitioner has antecedents of only two cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

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