

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89312 of 2025

Arising Out of PS. Case No.-575 Year-2023 Thana- SHASTRINAGAR District- Patna

Reena Devi @ Rina Devi D/o Nirmal Manjhi, W/o Dinesh Manjhi R/o
Village- Maurya Path Masaurhi, P.S- Shastri Nagar, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhoy Kumar Kashyap, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha-1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 31-01-2026 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 Act, 2022.

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 34 litres of liquor
from half constructed thatched house of the petitioner. 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 house which was under construction
where no one was staying but then was accessible to villagers at
large and it appears that someone inimical to the family



concealed meager amount of liquor with an intent to implicate the entire family but then petitioner came to be implicated based on secret information which is the easiest way to implicate someone without holding a proper investigation moreso when petitioner carries antecedents under the Excise Act. It is further 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 his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bond in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Patna in connection with Shastri Nagar P.S. Case No.575 of 2023, 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 bond of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedents 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.

8. At this stage, learned counsel for the petitioner, based on instruction, submits that petitioner undertakes to deposit an amount of Rs.1500/- with Advocates' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

Sanjay/-

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