

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51468 of 2024**

Arising Out of PS. Case No.-142 Year-2024 Thana- MAKHDUMPUR District- Jehanabad

Sona Devi @ Soni Devi, Wife Of Subhash Ram @ Manish Rabani Resident  
Of Village- Shekhpura Musahar Toli, Makhdumpur, Police Station -  
Makhdumpur (Tehta), District- Jehanabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhoy Kumar Kashyap

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      30-07-2024      1. Heard learned counsel for the petitioner and  
learned APP for the State.
2. The petitioner seeks bail in anticipation of her  
arrest in a case registered for the offences punishable under  
Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that  
the petitioner is a person with clean antecedent and is a woman  
the allegation is of recovery of 10 litres of liquor from the house  
of the petitioner and 04 litres of liquor from the house of Ashok  
Chaudhary.
4. The learned counsel for the petitioner submits that  
petitioner was not arrested from the spot, as such, nothing was  
recovered from her conscious possession and after Amendment



in the Excise Act, 2018, the concept of deemed possession and presumed offender has been done away with and even the house, which is a joint family property and thus, it cannot be alleged with certainty that it was the petitioner, who had kept the liquor in the house or the liquor kept in the house was within her knowledge 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 F.I.R., which cast an aspersion on the case of the prosecution, when admittedly petitioner is a person with clean antecedent.

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

6. 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 bail on her furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise- 1<sup>st</sup>, Jehanabad in connection with Makhdumpur P. S. Case No.142 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



7. The application stands allowed.

8. It is made clear that the learned trial Court before accepting the 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 even one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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