

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12491 of 2025

Arising Out of PS. Case No.-371 Year-2024 Thana- DIGHWARA District- Saran

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Basmati Devi Wife of Chulahan Rai Resident of Village - Basatpur, P.S.-
Dighwara, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-03-2025 **1.** Heard learned counsel for the petitioner and learned
A.P.P. for the State.
- 2.** The petitioner apprehends her arrest in a case registered
for the offences punishable under Section 30(a) of the Bihar Excise
Act.
- 3.** Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of recovery of
180 litres of liquor from a hut.
- 4.** Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from her conscious possession and even alleged recovery
is from a hut, which does not belong to the petitioner, though in the
FIR, it is alleged that the hut belongs to the petitioner. It is next
submitted that police, in mechanical manner, investigates and
implicates without ascertaining the truth.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 trial court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Dighwara P.S. Case No. 371 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than one case in that event the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of one case, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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