

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23954 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- HIRAMMA P.S. District- Sheohar

Sita Devi @ Sita Kumari S/o- Jaykishor Ram @ Kishori Ram Resident of
Village- Madhopur Phulkahan, P.S.-Shyampur Bhatahan, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-04-2025 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 offence punishable under Sections 30(a) and 4(i)(ii) of Bihar Prohibition and Excise Amendment Act, 2018.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a woman and allegation is of recovery of 2.5 litres of liquor from a bag from the garbage house of Gurhani. 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 chowkidar with whom her husband is on an inimical



term. It is next submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically without holding a proper investigation either at the instance of chowkidar, local person, confessional statement or secret information.

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

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 from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) 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 Hiramma P.S. Case No.06/2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, it would be presumed that petitioner had concealed her antecedent before this court, as such, the



provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner is a person with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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