

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24508 of 2025

Arising Out of PS. Case No.-142 Year-2024 Thana- MUSAHARI District- Muzaffarpur

Shivani Kumari Wife of Sikandar Kumar @ Shikindra Kumar Resident of
Village - Dighra Rampur Sah, P.S. - Sadar, District - Muzaffarpur, at present
Resident of Village - Pakri Smail, P.S. - Sadar, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bipin Chandra

For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-05-2025 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
petitioner is a person with clean antecedent and is a woman and
allegation is of recovery of 780 ML of liquor from house of
Suraj and a motorcycle was seized.
4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from her conscious possession and even alleged
recovery of liquor is from a house which does not belong to the



petitioner and she came to be implicated based on the fact that she is owner of the seized motorcycle. It is next submitted that no prudent person would use her own vehicle for committing an occurrence and thus would create evidence against herself and hence would get implicated, it is also submitted that petitioner was completely unaware that Suraj would misuse the vehicle in the manner as alleged who was also apprehended.

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 and the fact that petitioner is a woman, 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. 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 Mushahari P.S. Case No. 142 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned Trial Court after accepting the provisional anticipatory 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 then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed her antecedent before this Court, as such, the provisional anticipatory bail shall not be confirmed, but in the event if it is found that petitioner is a person with clean antecedent in that event the provisional anticipatory bail bonds shall be confirmed forthwith.

(Satyavrat Verma, J)

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