

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25062 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- JAYNAGAR District- Madhubani

Lakshmi Mandal Son of Late Ram Sundar Mandal R/O Village - Dullipatti,
P.S.- Jainagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-05-2025 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 Sections 274, 275,
317(5), 3(5) of BNS and Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the informant alleges
that 33.4 litres of liquor was recovered from the house of
Manoj, further 24.75 litres of liquor was recovered from the
house of Ganesh and 147.96 litres of liquor was recovered from
the husk house of Dasai Mandal.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant. It is next submitted 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 place which does not belong to the petitioner. It is further submitted that from perusal of seizure list, it would manifest that the place from where seizure is alleged to have been made is recorded as village- Dallipatti, Ward No. 6, P.S. Jaynagar and does not record that the liquor was recovered from the houses of the accused persons. It is also submitted that petitioner came to be implicated at the instance of Chowkidar. 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 people, secret information or confessional statement.

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 Jainagar P.S. Case No. 17 of 2025, 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 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 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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