

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51055 of 2025

Arising Out of PS. Case No.-395 Year-2025 Thana- PHULWARISHARIF District- Patna

Rina Devi W/o Vinay Kumar R/o Village- Hasxanpura, P.S.- Bhagwanganj,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajanan Mishra, Adv

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in a case registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the police intercepted a CNG Tempo and apprehended the driver of the said tempo, who disclosed his name as Md. Asif. On search, total 45 litres of illicit country made liquor was recovered from the tempo.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case merely on the basis of being the registered owner of the said seized Tempo. It is further submitted that the tempo, in question, was sold to one Chintu Kumar by the petitioner way back on 10.03.2023 and a sale deed was executed



between the parties, which has been brought on record by way of Annexure- P/2. It is further submitted that the said vehicle was ultimately seized by the Sky Consultant Pvt. Ltd. on account of non-payment of the EMI of the said tempo on 03.07.2024 and the present F.I.R. was lodged for an offence dated 09.03.2025. It is lastly submitted that the petitioner has no concern with the alleged incident and she carries clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and also considering the fact that the petitioner has clean antecedent, let the above named petitioner, in the event of her arrest/surrender within a period of four weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna, in connection with Phulwarisharif P.S. Case No. 395 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.), with further condition/s:-

(i) One of the bailors will be a close relative of the petitioner.



(ii) *The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.*

(iii) *In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be canceled by the Court concerned.*

(iv) *If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of her bail bonds.*

(v) *The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.*

7. This application stands allowed.

(Sourendra Pandey, J)

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