

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52354 of 2025

Arising Out of PS. Case No.-150 Year-2025 Thana- SURYAGARHA District- Lakhisarai

Gauri Devi W/O Mantu Mahto @ Manatun Mahto Resident of Village-
Manuchak Bind Toli, P.S.- Surajgarha, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends her arrest in connection with
Surajgarha P.S. Case No. 150 of 2025 registered for the offences
under Section 30(a) of Bihar Prohibition & Excise Act.

3. As per the prosecution case, the police on secret
information raided the house of Mantu Mahto. On search, total
20 liters of country made liquor was recovered. It is alleged that
on seeing the police, the petitioner who is wife of Mantu Mahto
also fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
instant case only because she is wife of accused Mantu Mahto.
Further submission is that no incriminating article has been



recovered from the conscious possession of the petitioner.

Petitioner has no criminal antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Surajgarha P.S. Case No. 150 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be her close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner



will be liable to be cancelled by the Court concerned.

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

(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 or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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