

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55233 of 2025

Arising Out of PS. Case No.-747 Year-2023 Thana- DOBHI District- Gaya

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Sunitaben Sunilkumar Chaudhari @ Chou. Sunitaben Sons W/O Chaudhari
Sunilkumar Madhubhai R/O Vadivas Khandosan Visnagar, District-
Mahesana (Guzrat)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyaveer Jha, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends her arrest in a case registered
for the offences punishable under Sections 30(a), 32(i)(ii), 36
and 41(i) of Bihar Prohibition and Excise (Amendment) Act,
2022.

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 5180.4 litres of liquor from a truck.
It is next submitted that petitioner was not arrested from the
spot, as such, nothing was recovered from her conscious
possession and she came to be implicated based on the fact that
she is owner of the seized truck. 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 and, at the same time, shall bring disrepute to her business . It is also submitted that petitioner was completely unaware that her driver would misuse the vehicle in the manner as alleged.

4. Learned A.P.P. opposes the anticipatory bail application.

5. 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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on her furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.-05, Gaya in connection with Dobhi P.S. Case No.747 of 2023, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional 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 obtaining anticipatory bail had concealed her antecedent before this Court, in that event, the present 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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