

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69917 of 2025

Arising Out of PS. Case No.-170 Year-2025 Thana- THALI District- Nawada

Sangita Devi, Wife of Late Kamta Chaudhary @ Kanta Chaudhary@ Kamala Chaudhary R/O Village- Madhopur, P.S.- Bishnupur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar
For the Opposite Party/s : Ms.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 27-11-2025 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in anticipation of her arrest in a case registered for the offences punishable under Sections 30(a) and 41 of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of three cases and is a woman and allegation is of recovery of 60 litres of liquor from a sack.
4. The 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 is from a place, which does not belong to the petitioner and he came to be implicated based on confessional statement of apprehended accused in police custody, which does not have



any evidentiary value. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically without holding a proper investigation.

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

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 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.15,000/- (Rupees Fifteen 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 Thali P. S. Case No.170 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. 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 more than three cases, then it would be presumed that petitioner for the purposes of



obtaining anticipatory bail had concealed his 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 has antecedent of three cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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