

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76230 of 2025

Arising Out of PS. Case No.-176 Year-2025 Thana- BEN P.S. District- Nalanda

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1. Rekha Devi W/o Subhash Chaudhary @ Karu Chaudhary @ Karu R/o Village- Nohasa, P.S.- Ben, District- Nalanda
 2. Subhash Chaudhary @ Karu Chaudhary @ Karu S/o Late Rajo Chaudhary R/o Village- Nohasa, P.S.- Ben, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-11-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner no.2, who was arrested during pendency of the anticipatory bail application.
3. Permission is accorded.
4. The petitioner no.1 apprehend her arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.
5. Learned counsel for the petitioner submits that petitioner no.1 has antecedent of one case and is a woman and



allegation is of recovery of 17 litres of liquor from the house of the petitioner. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from her conscious possession and the house in question is a joint family property as such it cannot be alleged with certainty that it was petitioner, who had kept the liquor in the house or the liquor kept in the house was within her knowledge and she came to be implicated based on the secret information which is the easiest way to implicate someone.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.5000/- (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 Ben P.S. Case No.176/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

8. It is made clear that the learned trial court thereafter



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, in that event, it would be presumed that petitioner had concealed her antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if on verification 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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