

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74695 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- LACHHUAR District- Jamui

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Renu Devi W/o- Rajendra Chaudhary Village- Bhullo, P.s- Lachhuar, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-11-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

 2. The petitioner apprehends her arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

 3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and allegation is of recovery of 1 litres of liquor from the house of the petitioner.

 4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from her conscious possession and after 2018 amendment in the Excise Act, the concept of deemed possession and presumed offender has been done away with. It is next



submitted that 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 knowledge of the petitioner. It is further submitted that she came to be implicated based on secret information which is the easiest way to implicate someone.

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

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 trial court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) 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 Lachhuar P.S. Case No. 47 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court 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 seeking anticipatory bail, had concealed her antecedent before this



Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if 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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