

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74909 of 2025

Arising Out of PS. Case No.-93 Year-2025 Thana- Hattha District- Muzaffarpur

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1. Jyoti Kumari Son of Sanju Kumar @ Sanjit Kumar Singh R/o Village - Sundarpur Ratwara P.S. - Hattha, Dist. - Mazaffarpur.
 2. Pratibha Devi W/o Mahesh Singh R/o Village - Sundarpur Ratwara P.S. - Hattha, Dist. - Mazaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Ms.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-11-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 30(a) and 37 of the Excise Act.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are women and the allegation is of recovery of 1.680 litres of liquor from the house of the petitioners.

4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even the house in



question is a joint family property and thus, it cannot be alleged with certainty that it was the petitioners, who had kept the liquor in the house or the liquor kept in the house was within their knowledge.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.II, Muzaffarpur in connection with Hattha P. S. Case No.93 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 petitioners shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioners have antecedent of even one case, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their 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 petitioners are persons with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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