

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75304 of 2025

Arising Out of PS. Case No.-116 Year-2025 Thana- BABUBARHI District- Madhubani

Param Devi @ Parme Devi S/o- Mahendra Sahani R/o village - Baruar , P.s-
Babubarhi , District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Udeshya Kumar Yadav
		Mr.Ravi Prakash
		Mr.Gagan Deo Yadav
		Mr.Rajesh Kumar
For the Opposite Party/s :		Ms.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 12-11-2025 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
Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case, but inadvertently at
Para-3, it has been pleaded that petitioner is a person with
antecedent and petitioner is a woman and allegation is of
recovery of 23 litres of liquor from asbestos house of the
petitioner.
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 the house in question is a joint family property and thus, it cannot be alleged with certainty that it was the 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 at the instance of local people. It is next submitted that police in majority of cases implicating innocent persons either at the behest of Chaukidar, local person, secret information and confessional statement in a mechanical manner without holding 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court, Madhubani in connection with Babubarhi P. S. Case No.116 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 even one case, 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 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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