

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76734 of 2025

Arising Out of PS. Case No.-204 Year-2023 Thana- BARAHAT District- Banka

Raiban Madhubhai Choudhary @ Raiben Madhubhai Chaudhri @ Chaudhary
Riben Madhubhai W/O Madhubhai R/O Vill./Mohalla- Prajapati Khandosan,
P.S.- Visnagar, Dist.- Mahesana, Gujrat

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-11-2025 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 Sections 420, 467, 468 and 120(B) of the Indian Penal Code as well as Sections 30(a), 32(2) and 41 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a woman and allegation is of recovery of 6859.8 litres of liquor from a truck.

4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from her conscious possession. It is further submitted that petitioner came to be implicated based on the fact that she is



owner of the seized vehicle. It is next submitted that no prudent person would use her own vehicle for committing an occurrence and thus would create evidence against herself and hence would get implicated and at the same time shall bring disrepute to the business. It is also submitted that petitioner was completely unaware that Kishan Ram would misuse the vehicle in the manner as alleged who was also apprehended from the spot.

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, let 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 Barahat P.S. Case No. 204 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case, it



would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification 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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