

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78189 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- RUDRAPUR District- Madhubani

1. Mamta Devi W/O Ghuran Paswan @ Dhuran Paswan Resident of Village- Bhaduar Harna, P.S.- Rudrapur, Dist.- Madhubani
2. Juli Devi W/O Sanjay Paswan Resident of Village- Bhaduar Harna, P.S.- Rudrapur, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Jha Raman, Adv.

For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-12-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 274 and 275 of the BNS, 2023 read with Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and are women and allegation is of recovery of 12 liters of liquor from thatched hut of Juli Devi i.e. petitioner no. 2.

4. Learned counsel for the petitioners submits that petitioners were not apprehended from the spot as such nothing



was recovered from their conscious possession and hut does not belong to Juli Devi and they came to be implicated at the instance of Chowkidar with whom their husbands are on an inimical term. It is further submitted that if Chowkidar was aware of the involvement of the petitioners in the occurrence then why he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution.

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

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 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) each 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 Rudrapur P.S. Case No. 114 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 petitioners and



in the event if it is found that any of the petitioners have antecedent of even one case then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if 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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