

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81101 of 2025

Arising Out of PS. Case No.-358 Year-2025 Thana- SUGAULI District- East Champaran

Dhuniya Devi Wife of Nunu Mahato Resident of village - Sugaon, Dhangad
Toli, P.S.- Sugauli, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-12-2025 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 offence punishable under Section 30(a) 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.

4. Allegation is of recovery of 30 litres of liquor from
the house of the petitioner and 100 litres of liquor from a
motorcycle.

5. 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 the house in question is a joint family property, as such, 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. It is further submitted that petitioner is not the owner of the seized vehicle and came to be implicated at the instance of the Chawkidar with whom her husband is on an inimical term.

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

7. 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 Sugauli P.S. Case No. 358 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. 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 her 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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