

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80089 of 2025

Arising Out of PS. Case No.-422 Year-2022 Thana- ALAMGANJ District- Patna

Savita Devi Wife of Late Dilip Yadav Mohalla- Pathari Ghat, Devi Asthan,
Police Staion- Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends her arrest in a case registered
for the offence punishable under Sections 30(a) and 36 of Bihar
Prohibition and Excise Act as well as Section 25(1-B)A of the
Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedents of two cases and is a woman. It is
also submitted that petitioner is a widow and her brother-in-law
intends to grab her property for which she came to be implicated
in two cases. It is next submitted that allegation is of recovery of
10 litres of liquor from a motorcycle along with an empty pistol
magazine. It is next submitted that petitioner was not arrested
from the spot, as such, nothing was recovered from her



conscious possession and she came to be implicated based on the fact that she is owner of the seized vehicle. It is also submitted that from the perusal of the allegations, as alleged in the FIR, it would manifest that the same does not even remotely suggest that a woman fled from the place of occurrence. It is also submitted that during course of investigation, the son of the petitioner was arrested but since the vehicle is registered in her name, as such, she came to be implicated.

4. Learned A.P.P. opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioner and taking into consideration the fact that petitioner is a woman, 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.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise, Patna City in connection with Alamganj P.S. Case No.422 of 2022, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.



7. 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 more than two cases, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed her 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 has antecedents of only two cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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