

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80065 of 2025

Arising Out of PS. Case No.-180 Year-2025 Thana- Manuapul District- West Champaran

Bindu Devi W/O Birendra Raut R/O Village- Patarkha, Police station-
Manuapul, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Brij Kishor Mishra, Advocate

For the State : Mr. Chandra Bhushan Prasad, 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 Section 30(a) of Bihar
Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedents of three cases and is a woman and
allegation is of recovery of 35 litres of liquor from house of the
petitioner. It is next submitted that petitioner was not arrested
from the spot, as such, nothing was recovered from her
conscious possession and the house in question is a joint family
property, as such, it cannot be alleged with certainty that it was
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 person but then it is submitted that name of the person who disclosed the name of the petitioner is not disclosed in the FIR which casts an aspersion on the case of the prosecution. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically without holding a proper investigation.

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

5. 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.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), 1st, Bettiah, West Champaran in connection with Manuapul P.S. Case No.180 of 2025, 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 antecedents of more than three 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 three cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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