

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82039 of 2025

Arising Out of PS. Case No.-287 Year-2025 Thana- ASHTHAWAN District- Nalanda

Jasmatiya Devi @ Vasmati Devi Wife of Dularchand Paswan Resident of
Village- Mohani, P.S.- Asthawan, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Ms. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-12-2025 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
Bihar Prohibition and Excise Act.

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 10 litres of liquor from the house of
the petitioner and 5 litres of liquor from possession of Gore and
2 litres of liquor from a bush near a field. 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 based on secret information which is the easiest way to implicate someone. It is also submitted that police in majority of the cases implicates either at the instance of chowkidar, local person, secret information or confessional statement without holding a proper investigation in a mechanical manner.

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

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 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 Asthawan P.S. Case No.287/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of even one



case, in that event, it would be presumed that petitioner had concealed her antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if on verification it is found 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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