

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86918 of 2025

Arising Out of PS. Case No.-71 Year-2025 Thana- Shivnarayanpur District- Bhagalpur

PRITI DEVI W/o Arvind Choudhary R/o Village- Santhali Tola, Mathurapur,
P.S.- Shivnarayanpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-12-2025 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.

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 24 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. It is next submitted that 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 the 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.

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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-02, Bhagalpur in connection with Shivnarayanpur P.S. Case No.71 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 antecedent of even one case, 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 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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