

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87198 of 2025

Arising Out of PS. Case No.-160 Year-2025 Thana- NEORA District- Patna

=====

Kari Devi W/O Raju Ray Resident of Village- Jogta, P.O- Jogta, P.S.- Chandi,
District- Bhojpur, As per F.I.R. address of Petitioner is mentioned as Kari
Devi W/O Raju Ray, R/O Village- Laxmanpur Mushari Bangla Par, P.S-
Neora, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar Shrivastava

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-12-2025 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, 2022.
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. 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 after amendment in the Excise Act in the year 2018, the concept of deemed possession and presumed offender has been done away with 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. 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 Neora P.S. Case No.160/2025, 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)

amit/-

U		T	
---	--	---	--

