

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.858 of 2026

Arising Out of PS. Case No.-288 Year-2025 Thana- CHAUTHAM District- Khagaria

Sudama Devi Wife of Hitesh Singh Resident of village - Tegachhi, P.S.-
Chautham, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mr.Kanhiya Kishor

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-01-2026 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 offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a woman and
allegation is of recovery of 15 litres of liquor along with country
made pistol and three live cartridges from the house of Hitesh
Singh.

4. Learned counsel for the petitioner submits that the
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 wife of Hitesh based on



the disclosure made by the Chowkidar, but then it is submitted that if the Chowkidar was aware about the involvement of the petitioner in the occurrence, then why he did not inform the police prior to institution of the instant FIR, which casts an aspersion on the case of the prosecution. It is also submitted that petitioner has been implicated only to coerce Hitesh into submission.

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

6. Considering the submissions made by the learned counsel for the petitioner and also taking into consideration that petitioner is a woman, the petitioner above-named, in the event of her arrest or surrender before the learned trial court 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 Chautham P.S. Case No. 288 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court 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 seeking anticipatory bail, had concealed her antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if 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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