

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.921 of 2026

Arising Out of PS. Case No.-1744 Year-2025 Thana- Excise P.S. District- Muzaffarpur

Madhu Devi @ Madhu Kumari W/o Kanchan Kumar R/o Village-
Mahammadpur Badal, PS- Sakra, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate
		Mr. Mukund Kumar, Advocate
For the Opposite Party/s	:	Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends her arrest in a case registered
for the offences punishable under Section 30(a) and 32(3) 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 17.5 litres of liquor from a Scooty. It
is next submitted that 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
owner of the seized vehicle. It is next submitted that no prudent
person would use her own vehicle for committing an occurrence



and thus, would create evidence against herself and hence, would get implicated. It is also submitted that petitioner was completely unaware that her friend would misuse the vehicle in the manner as alleged.

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-bond in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Court No.-II, Muzaffarpur in connection with Excise P.S. Case No.1744 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 bond 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)

Sanjay/-

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