

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13721 of 2026

Arising Out of PS. Case No.-352 Year-2024 Thana- KEWATI District- Darbhanga

Madhuri Kumari W/O Amarjeet Kumar @ Kanhaiyya Kumar, D/O Jamun
Purbe R/O Village -Dhakjari, 03 Dhagjara, District- Madhubani, State- Bihar,
Pin Coda-847223

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kanchan Jha, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-03-2026 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 Sections 30(a) and 41(1) of
Bihar Prohibition and Excise (Amendment) Act, 2018.

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 175.8 litres of liquor from a four
wheeler vehicle. 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 submitted that from perusal of the allegation, as alleged in the FIR, it would manifest that the informant does not allege that a woman was seen fleeing from the place of occurrence. It is also submitted that petitioner was completely unaware that her driver would misuse the vehicle in the manner as alleged, who also fled from the spot.

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 Exclusive Special Judge-I, Excise Court, Darbhanga in connection with Keoti P.S. Case No.352 of 2024, 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)

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