

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13033 of 2026

Arising Out of PS. Case No.-297 Year-2021 Thana- RAFIGANJ District- Aurangabad

Archana Gupta W/o Sanjeev Kumar Gupta Resident of - Shantikunj Block D -
1 Flat No. 106, 20 Round Tank Lane, Mullick Fatak, Telephone Exchange,
District - Howrah, Haora, P.S - Howrah, State - West Bengal, Pin - 711101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anurag Supreme, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-03-2026 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 offence punishable under Section 30(a) of the
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 600 litres of liquor from two
different vehicles.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from her conscious possession. It is further submitted
that petitioner came to be implicated based on the fact that she is
owner of one of the seized Santro Cars. 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 Mithilesh Kumar would misuse the vehicle in the manner as alleged who was also apprehended from the spot along with Shashi Singh.

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, let the petitioner, above-named, in the event of her arrest or surrender 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 Rafiganj P.S. Case No. 297 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case, it would be presumed that petitioner had concealed her antecedent



before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification 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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