

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18802 of 2026

Arising Out of PS. Case No.-320 Year-2025 Thana- GUTHANI District- Siwan

Dewanti Devi W/O Ramlal Rajbhar R/O village - Chitvisarav, P. O - Sematar,
P. S - Guthari, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-04-2026 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 (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that the
welfare stamp on the Vakalatnama would be filed by tomorrow,
as such, based on the undertaking given by the petitioner, the
defect, as pointed out by the office, is hereby ignored, for the
present.

4. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman and
allegation is of recovery of 9 litres of liquor from a motorcycle.

5. 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 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 Brajesh Rajbhar would misuse the vehicle in the manner as alleged who was also apprehended from the spot. It is submitted that it is not the case of the prosecution that they saw a woman fleeing from the place of occurrence.

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

7. 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 Guthani P.S. Case No. 320 of 2025, subject to the conditions as laid down under Section 438(2) of the



Cr.P.C./482(2) of the B.N.S.S.

8. However, 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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