

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16655 of 2026

Arising Out of PS. Case No.-1347 Year-2025 Thana- Excise P.S. District- Patna

Meri Devi W/o Late Kamlesh Das @ Kamlesh Ram R/o Village - Kathar, P.O
and P.S - Arak, District - Buxar (Bihar), Pin - 802111 Presently R/o - Digha
Atal, P.O and P.S - Digha, District - Patna (Bihar), Pin - 800023, Aadhar No.
288042365883

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Roushan Kumar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 06-04-2026 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 offences punishable under Sections 30(a) and
56(b) of the Bihar Prohibition and Excise Act, 2016.
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 20 litres of liquor from a motorcycle,
20 litres of liquor from a Scooty and 120 litres of liquor from an
E-rickshaw.
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 the seized E-rickshaw. It is further 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 next submitted that petitioner was completely unaware that Prakash would misuse the vehicle in the manner as alleged who was also apprehended from the spot. It is also submitted that it is not the case of the prosecution that they saw a woman fleeing from the place of occurrence.

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 appearing on behalf of 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 Excise P.S. Case No. 1347 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.

7. 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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