

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22977 of 2026

Arising Out of PS. Case No.-155 Year-2025 Thana- SAHARGHAT District- Madhubani

Pinki Kumari W/O Sudhir Mahto Resident of Village - Gangaur, Ward No.-
03, P.S- Harlakhi, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-06-2026 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 274, 275
and 3(5) of BNS and Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a woman and
allegation is of recovery of 945 litres of liquor from five
motorcycles and a bicycle.

4. Learned counsel for the petitioner submits that the
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 one of the
seized motorcycles. 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 further submitted that petitioner was completely unaware that her friend would misuse the vehicle in the manner as alleged, who also fled from the spot. It is also submitted that it is not a 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 for the petitioner, 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 Saharghat P.S. Case No. 155 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court 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 seeking anticipatory bail, had concealed her antecedent before this



Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if 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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