

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18813 of 2026

Arising Out of PS. Case No.-148 Year-2025 Thana- NATIONAL HIGHWAY District-
Samastipur

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1. Shushila Devi W/O Manoj Chaoudhary R/o Vill.- Mundipur, P.S.- N.H. Bangra, Dist.- Samastipur
 2. Chhotu Kumar @ Chhotan Kumar S/O Jagar Narain Choudhary R/o Vill.- Mundipur, P.S.- N.H. Bangra, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-03-2026 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 30(a) and
30(c) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that
petitioner no. 1 has antecedent of one case under the Excise Act
and is a woman and petitioner no. 2 is a person with clean
antecedent and they came to be implicated merely for the reason
that they are wife and brother of Manoj. It is next submitted that
allegation is of recovery of 20 liters of liquor from a place
adjacent to the house of Manoj and 4 liters of liquor from the



house of Amarnath Chaudhary.

4. Learned counsel for the petitioners submits that petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and even alleged recovery is from a place which does not belong to the petitioners, but then is adjacent to their house and petitioners have no concern or relation with Amarnath and they came to be implicated at the instance of Chowkidar with whom Manoj is on an inimical term.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Trial Court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each 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 N.H. Bangra P.S. Case No. 148 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 petitioners and in the



event if it is found that petitioner no. 1 has antecedent of more than one case and petitioner no. 2 has antecedent of even one case then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner no. 1 has antecedent of one case only and petitioner no. 2 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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