

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22261 of 2026

Arising Out of PS. Case No.-124 Year-2021 Thana- SAHAJITPUR District- Saran

Kalika Devi @ Kukila Devi W/o Birju Deshmukh R/o Village - Mirjapur, P.S
- Sonpur, District - Saran at Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Pandey
For the Opposite Party/s : Mr. Chandrabhushan Prasad,

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-04-2026 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, 30(a), 37(B)(C) of 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 1.5 liters of liquor from a Sumo vehicle.

4. Learned counsel for the petitioner submits that the petitioner was not apprehended 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 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 it is not the case of the prosecution that they saw a woman fleeing from the place of occurrence, it is next submitted that petitioner was completely unaware that his friend Bibhishan would misuse the vehicle in the manner as alleged who was also apprehended from the spot.

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 his 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 Sahajitpur P.S. Case No. 124 of 2021 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 has clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Gaurav Sinha/-

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