

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32937 of 2026

Arising Out of PS. Case No.-596 Year-2024 Thana- GARDANIBAG District- Patna

Mamta Devi W/o Late Raj Kumar Gupta R/o Chitkohra Bazar Mashala
Mandi, P.S.- Gardanibagh, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd Singh, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-05-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State Mr. Rabindra Kumar.

2. The petitioner apprehends her arrest in a case
registered for the offence punishable under Sections 30(a) and
34 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 102 litres of liquor from a Scooty. It
is next submitted that 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 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 the petitioner was completely unaware that her friend would misuse his vehicle in the manner as alleged who also fled 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.

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

5. 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 Gardanibagh P.S. Case No.596/2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, it would be presumed that petitioner had concealed her antecedent before this court, as such, the



provisional anticipatory bail order shall not be confirmed but if
on verification 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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