

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37920 of 2026

Arising Out of PS. Case No.-152 Year-2025 Thana- Excise Benipatti District- Madhubani

Nitu Kumari S/o Chandan Paswan Resident of Village - Ladaut, P.S. -
Benipati, Dist. - Madhubani(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-06-2026 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 offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act, 2018.

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 108 litres of liquor from three
different vehicles. 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 one 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 Sunil would misuse the vehicle in the manner as alleged who was also apprehended from the spot along with Indrajeet.

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 Benipatti P.S. Case No.152 of 2025, 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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