

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41551 of 2026

Arising Out of PS. Case No.-73 Year-2026 Thana- Excise Benipatti District- Madhubani

Sobha Devi S/o Jitan Yadav R/o - Jiraul, Ward No.09. P.S - Khirhar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Alias Ashok Karn, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-06-2026 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 offences punishable under Sections 272 and 273 of the Indian Penal Code read with Section 30(a) of the Bihar 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 6.12 liters of liquor from a motorcycle.

4. Learned counsel for the petitioner submits that 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 petitioner was completely unaware that her husband, Jitan, 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 her 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. 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 Excise Benipatti P.S. Case No. 73 of 2026 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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