

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38868 of 2026**

Arising Out of PS. Case No.-167 Year-2026 Thana- TURKAULIYA District- East  
Champaran

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Rinku Devi @ Rinki Devi @ Rinki Kumari W/O Mahadev Mahto Resident of  
Village - P.S - Turkauliya, Dist.- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dhandev Kumar  
For the Opposite Party/s : Mr. Bishweshwar Ram

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      18-06-2026                      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 offences punishable under 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 20 liters of liquor from house of the  
petitioner.
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 the house in  
question is a joint family property, as such, it cannot be alleged



with certainty that it was petitioner who had kept the liquor in the house or the liquor kept in the house was within her knowledge and after amendment in the excise act in the year 2018, the concept of deemed possession and presumed offender has been done away with and she came to be implicated at the instance of local person and Chowkidar, but then it is submitted that it does not appear probable that local person and Chowkidar would have known who had concealed the liquor in the house.

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 Turkauliya P.S. Case No. 167 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)**

Rishabh/-

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