

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49617 of 2026

Arising Out of PS. Case No.-668 Year-2026 Thana- Excise P.S. District- Gaya

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Daulti Devi Wife of Ajay Yadav Resident of Village- Fajlaha, P.S.- Sherghati,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Pushpa Sinha. 1

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-07-2026 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 Sections 30(a) and
32(3) of Bihar Prohibition and Excise (Amendment) 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 3.750 litres of liquor from a
motorcycle.

4. Learned counsel for the petitioner submits 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



his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that the petitioner was completely unaware that Pintu would misuse his vehicle in the manner as alleged, who was also apprehended from the spot along with Ajay. It is also submitted that it is not the case of the prosecution that they saw a woman fleeing from the place of occurrence.

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 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 P.S. Case No.668/2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. 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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