

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63151 of 2025

Arising Out of PS. Case No.-105 Year-2025 Thana- BEERPUR District- Begusarai

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1. Reshmi Devi W/O Pavan Sah @ Pavan Shah @ Pavan Saw R/O Village-Jagdar (Jagdhar), P.S.- Birpur, District- Begusarai
 2. Gaurav Kumar S/O Pavan Sah @ Pavan Shah @ Pavan Saw R/O Village-Jagdar (Jagdhar), P.S.- Birpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Binod Kumar No. II, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 06-01-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 132, 121(2) and 3(5) of the BNS as well as Sections 37 and 45 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no. 1 is a woman and the informant alleges that Pawan Sah was arrested in a drunken condition while other accused including the petitioners fled away from the house.

4. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was



recovered from their conscious possession. It is further submitted that petitioners came to be implicated in the instant case merely for the reason that they are wife and son of Pawan Sah. It is next submitted that petitioners were not even present at the place of occurrence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their 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) each 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 Birpur P.S. Case No. 105 of 2025, 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 petitioners and if it is found that petitioners have antecedent of even one case, it would be presumed that petitioners had concealed their antecedent before this Court at para 3 of the anticipatory bail



application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioners are persons with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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