IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75601 of 2026

CNR No. BRHC011060092026

Arising Out of PS. Case No.-300 Year-2025 Thana- TARAIYA District- Saran

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Lalita Devi W/o Bhurela Nut R/o Village - Rajdhani, P.S - Taraiya, District - Saran at Chapra

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Dr. (Mr.) Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 28-10-2026 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 the Bihar Prohibition and 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 15 litres of spirit/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. It is further submitted that petitioner came to be implicated based on the fact that she is owner of the seized vehicle. It is next submitted that no prudent

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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 friend would misuse the vehicle in the manner as alleged who also fled from the spot. It is lastly 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 appearing on behalf of the petitioner, let 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 Taraiya P.S. Case No. 300 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case,

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it would be presumed that petitioner had concealed her 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 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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