IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74643 of 2026

CNR No. BRHC011086432026

Arising Out of PS. Case No.-68 Year-2026 Thana- Hattha District- Muzaffarpur

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Gita Devi W/O Satish Tivari R/O Village- Jata Pachhiyari Tola, P.S.- Gaighat, District- Muzaffarpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Yugal Kishore
For the Opposite Party/s : Ms. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 27-10-2026 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 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 21.96 litres of liquor from a Wagon R car.

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

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vehicle. It is next submitted that she has sold the vehicle to one Amresh Rai. It is further submitted that even Amresh Rai apprehended from the spot and 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 and taking into consideration the fact that petitioner is a woman, 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 Hattha P.S. Case No.68 of 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

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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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