IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76546 of 2026

CNR No. BRHC011121902026

Arising Out of PS. Case No.-360 Year-2019 Thana- BELAGANJ District- Gaya

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Shanti Devi W/o Kapil Yadav Resident of Village- Rambigha, P.S.- Belaganj, District- Gaya

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Nafisu Zzoha, Adv
Mr. Nasar Iqbal, Adv
Mr. Gulistan Waz Tabassam, Adv
For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 05-11-2026 **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 Sections 272 and 273 of IPC and Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and allegation is of recovery of 10 litres of liquor along with 10 kg majua and 60 kg jaggery from an auto.

4. Learned counsel for the petitioner submits that the 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 no prudent person would use her own vehicle for committing an occurrence and thus would create evidence against herself and hence would get implicated, it is further submitted that petitioner was completely unaware that her driver would misuse the vehicle in the manner as alleged, who also fled from the spot. 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 Belaganj P.S. Case No. 360 of 2019, 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

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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)

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