IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79916 of 2026

CNR No. BRHC011164382026

Arising Out of PS. Case No.-178 Year-2026 Thana- RAUTARA District- Katihar

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Mamta Devi @ Mamta Kumari Wife of Sinod Uranv @ Sanoj Uranv Resident of Village- Chamapara Ward No. 12, P.S.- Rautara, District- Katihar

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 25-11-2026 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, 2018 in connection with Rautar P.S.Case No. 178 of 2026.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner being a woman bears clean antecedent, and no recovery has been made from the conscious physical possession of the petitioner.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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5. From the reading of the FIR and on perusal of the search and seizure memo, it is apparent that the search and seizure memo has not been witnessed by two independent witnesses. The witnesses, who have signed the search and seizure memo, are the members of the police raiding team. No recovery was made from the conscious physical possession of the petitioner and the petitioner bears clean antecedent.

6. Under these circumstances, I am inclined to grant privilege of anticipatory bail to the petitioner. Let the petitioner, as named above, in the event of her arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction learned District and Additional Sessions Judge Exclusive Special Excise Court-II, Katihar in connection with Rautara P.S.Case No. 178 of 2026, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to further condition that :-

(i) the petitioner shall co-operate in the investigation/ trial.

(ii) the learned court below would, however, verify

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the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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