

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82974 of 2025

Arising Out of PS. Case No.-183 Year-2025 Thana- NATWAR District- Rohtas

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Rani Devi W/o- Umesh Chaudhary Vill- Tenuaj PS- Natwar Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey

For the Opposite Party/s : Ms. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-01-2026 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 (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases under the Excise Act and
is a woman and allegation is of recovery of 12 litres of liquor
from house of the petitioner. It is next submitted that petitioner
was not arrested from the spot as such nothing was recovered
from her conscious possession and the house in question is a
joint family property as such it cannot be alleged with certainty
that it was petitioner, who had kept the liquor in the house or the
liquor kept in the house was within his knowledge and after



amendment in the Excise Act in the year 2018, the concept of deemed possession and presumed offender has been done away with and she came to be implicated at the instance of chowkidar with whom her husband is on an inimical term. It is also submitted that chowkidar implicated the petitioner only to coerce her husband into submission.

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

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) 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 Natwar P.S. Case No.183/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. 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 more than two cases, in that event, it would be presumed that petitioner



had concealed her antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner has antecedent of two cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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