

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90226 of 2025

Arising Out of PS. Case No.-216 Year-2025 Thana- DELHA District- Gaya

Baso Devi W/o Late Arvind Paswan Resident of Village- Badki Delha, P.S.-
Delha, District- Gaya Jee

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brijmohan Das, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-01-2026 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 offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and is a woman and
allegation is of recovery of 6 liters of liquor from a hut.

4. Learned counsel for the petitioner submits that
petitioner was not apprehended 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 her



knowledge and she came to be implicated at the instance of local person, but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR which casts an aspersion on the case of the prosecution

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 before the learned Trial Court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 5,000/- (Rupees Five 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 Delha P.S. Case No. 216 of 2025 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 more than one case then it would be presumed that petitioner, for the purposes of 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 has antecedent of one case only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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