

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90622 of 2025

Arising Out of PS. Case No.-511 Year-2025 Thana- DHAKA District- East Champaran

Radhika Devi S/o Langtu Mukhiya @ Langru Mukhiya Resident of Village-
Barharwa Siwan, P.S.- Dhaka, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Ms.Meena Singh

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 the
petitioner has antecedent of seven case under the Excise Act and
is a woman and allegation is of recovery of 77.7 litres of liquor
from the house of Madan and 54 litres of liquor from a street in
front of the house of the petitioner.

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 the house from
which the liquor is alleged to have been recovered does not



belong to the petitioner and 54 litres of liquor is alleged to have been recovered from a street in front of the house of the petitioner, thus the said recovery is also from a place which does not belong to the petitioner and she came to be implicated at the instance of Chowkidar, but then it is submitted that if the Chowkidar was aware about the involvement of the petitioner in the occurrence, then why he did not inform the police prior to institution of the instant FIR, which casts an aspersion on the case of the prosecution. It is further submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of Chowkidar, local person, confessional statement or secret information without holding a proper investigation.

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. 35,000/- (Rupees Thirty-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 Dhaka P.S. Case No. 511 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 seven cases 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 seven cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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