

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91104 of 2025

Arising Out of PS. Case No.-771 Year-2025 Thana- MANER District- Patna

=====

Gudiya Devi W/o Surendra Chaudhari R/o Village- Saray Mohalla, PS-
Maner, District- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s :	Mr. Apurv Harsh, Advocate
	Mr. Manu Tripurari, Advocate
	Mr. Raghu Raj Pratap, Advocate
	Ms. Jaya Singh, Advocate
For the Opposite Party/s :	Ms. Indu Kumari Srivastava, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends her arrest in a case
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman and
allegation is of recovery of 8.25 litres of liquor from a
motorcycle. It is next submitted that 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 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 also submitted that it is not the case of the prosecution that they saw a woman fleeing from the place of occurrence. It is further submitted that petitioner was completely unaware that her friend would misuse the vehicle in the manner as alleged.

4. Learned A.P.P. opposes the anticipatory bail application.

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, is directed to be released on provisional anticipatory bail on her furnishing bail-bond in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Danapur in connection with Maner P.S. Case No.771 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bond of the petitioner 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 obtaining anticipatory bail had concealed her antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, 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)

Sanjay/-

U		T	
---	--	---	--

