

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91434 of 2025

Arising Out of PS. Case No.-326 Year-2025 Thana- RAMGARH District- Kaimur (Bhabua)

1. SUKHARI BIND S/O BANSHIDHAR BIND R/o vill - Bindpurwa, P.S.- Ramgarh, Distt.- Kaimur at Bhabua
2. Gudiya Devi @ Guriya Devi W/o Late Ramkumar Bind R/o vill - Bindpurwa, P.S.- Ramgarh, Distt.- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no.2 is a woman and allegation is of recovery of 11.48 litres of liquor from house of petitioner no.2. It is next submitted that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even alleged recovery is from a place which does not belong to petitioner



no.1 and the house in question is a joint family property, as such, it cannot be alleged with certainty that it was petitioner no.2 who had kept the liquor in the house or the liquor kept in the house was within her knowledge and the petitioners came to be implicated based on secret information which is the easiest way to implicate someone without holding a proper investigation.

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

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-II, Kaimur at Bhabhua in connection with Ramgarh P.S. Case No.326 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 bonds of the petitioners shall



verify the criminal antecedent of the petitioners and in the event, if it is found that petitioners have antecedent of even one case, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their 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 petitioners are persons with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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