

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90951 of 2025

Arising Out of PS. Case No.-505 Year-2025 Thana- BAIRIYA District- West Champaran

Koyali Devi W/O Late Chotelal Chaudhary R/O Village- Bhitaha Ward No.
12, P.S- Bairiya, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap
For the Opposite Party/s : Ms. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-01-2026 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 Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case under the Excise Act and is
a woman and allegation is of recovery of 6 litres of liquor from
a straw 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 straw house is
a place outside the house and thus is accessible to villager at
large. It is further submitted that it appears that someone
inimical to the family conceal meager amount of liquor in the



straw house of the petitioner with an intent to implicate the entire family members. It is also submitted that it does not appear probable that a person would use her own premise for committing an occurrence and thus would create evidence against herself and hence would get implicated.

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.5000/- (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 Bairiya P.S. Case No.505/2025, 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 one case, 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 one case, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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