

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21554 of 2026

Arising Out of PS. Case No.-374 Year-2025 Thana- HATHUA District- Gopalganj

Shashi Singh Kushwaha @ Shash Singh Kushwaha @ Shashi Kumar S/o- Jai
Ram Singh Kushwaha @ Jay Ram Singh Kushwaha @ Jai Ram Singh
Resident of Village - Koiri Tola, P.S. - Nautan, District - Siwn

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Hathua P.S. Case No. 374 of 2025, dated 22.12.2025, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, police received confidential information about petitioner and other co-accused persons bringing a consignment of illicit liquor and unloading the same in an orchard. A raid was conducted and recovery of 180 litres of country made liquor was made from that place. The miscreants fled away and they were identified by the witnesses as the villagers.

4. Learned counsel for the petitioner at the outset submits that the petitioner and other co-accused persons belong to



village Pachlakhi of Police Station Nautan of District Siwan and their identification by the local villagers of Hathua Police Station is not believable. Nothing incriminating has been recovered from person or possession of the petitioner and he has been made accused merely on the basis of statement of villagers and identity of the petitioner is doubtful for his presence at the place of occurrence. Learned counsel further submits that petitioner is having antecedent of six cases and five cases are registered under Section 30(a) of the Bihar Prohibition and Excise Act and petitioner is on bail in all the six cases.

5. Learned APP opposes the submissions made on behalf of the petitioner and submits that petitioner appears to be habitual offender in similar nature of cases.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the criminal antecedent of the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner.

7. Accordingly, the anticipatory bail application of the petitioner stands rejected.

(Arun Kumar Jha, J)

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