

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26919 of 2026**

Arising Out of PS. Case No.-21 Year-2026 Thana- SIDHWALIYA District- Gopalganj

Prabhat Kumar @ Ladoo Son of Arun Sah Resident of Village- Sareya Pahar,
P.S.- Sidhwaliya, District- Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 22-04-2026 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Sidhwaliya P.S. Case No. 21 of 2026 registered on 28.01.2026 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution, total recovery of 120 liters illicit Liquor, loaded on motorcycle, is the subject matter of the present case.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. Nothing has been recovered from the conscious physical



possession of the petitioner. The name of the petitioner has surfaced in the present case only on the ground that the motorcycle belonging to the petitioner was seized from the alleged place of occurrence. Except for the same, there is no material against the petitioner. In fact, the petitioner's name was disclosed by the local Chaukidar merely on suspicion, and there is no substantive evidence against the petitioner apart from such suspicion. It is further submitted that the petitioner is also accused in two other criminal cases.

5. Learned APP for the State opposes the prayer for bail and submits that the petitioner is the registered owner of the motorcycle from which the alleged recovery has been made.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with the aforementioned case, pending before the learned District and Additional Sessions Judge XIII-cum-Special Excise Court No.1, Gopalganj is hereby rejected.

7. However, if the petitioner surrenders before the learned Trial Court within a period of four weeks from today, the Trial Court is directed to consider and pass an order on his surrender-cum-bail application on the same day, in accordance



with law without being prejudiced by the rejection of the
petitioner’s anticipatory bail by this Court.

(Dr. Anshuman, J)

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