

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25988 of 2026

Arising Out of PS. Case No.-20 Year-2026 Thana- GOPALPUR District- Gopalganj

Govind Kushwaha S/o Hira Bhagat @ Hiralal Kushwaha R/o Village -
Deurwa Sangawadih P.S - Gopalpur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 24-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. The allegation in the First Information Report is that a total of 36 litres of country made liquor has been recovered from three motorcycles and from the motorcycle which was alleged to be driven by the petitioner there is recovery of 8.60 litres of country made liquor kept in a bag.

4. Learned counsel for the petitioner submits that the petitioner is not the owner of the motorcycle. It is further submitted that there is no independent witness to the search and seizure. There is no recovery from personal or conscious possession of the petitioner.

5. Learned APP for the State opposed the prayer for anticipatory bail and submits that the petitioner has one criminal



antecedent of similar nature. However, in response it has been submitted that the petitioner has been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Court in the said case.

6. Taking into consideration the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Gopalpur P.S. Case No. 20 of 2026, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, subject to the condition(s) that:

- (i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister.
- (ii) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Soni Shrivastava, J)

anand/-

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