

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24948 of 2026

Arising Out of PS. Case No.-304 Year-2025 Thana- HATHUA District- Gopalganj

Khushiha! Singh @ Khushiya! Singh son of Pappu Singh, Resident of
Village- Gambhirpur, Tola Mahuwa Bhusha, P.S.- Nautan, District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Javed Aslam, Advocate
For the State	:	Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-04-2026 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. 304 of 2025, dated 17.10.2025, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, secret information was received regarding the co-accused Himanshu Yadav bringing illicit liquor on motorcycle with his associates. At the identified place two motorcycles were found coming and two persons were on one motorcycle while three persons were on second motorcycle, who started fleeing away on seeing the police party. Two persons with their motorcycle were apprehended and three



persons fled away from the spot leaving behind their motorcycle. From the motorcycles, recovery of 20 litres and 4.6 litres respectively of country made liquor was made. The apprehended co-accused disclosed the name of the petitioner along with two other persons who fled away from the spot leaving behind their motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Nothing incriminating has been recovered from person or possession of the petitioner. Petitioner is neither concerned with the seized motorcycle nor with the illicit liquor. Learned counsel lastly submits that petitioner is having antecedent of one case which has been registered against him by one of his agnates.

5. Learned APP opposes the submissions made on behalf of the petitioner and submits that petitioner is having criminal antecedent of one case.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and further considering the absence of material to show his complicity in the alleged offence and to make out a case against him, let the petitioner, above-named, in the event of his arrest or



surrender before the Court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XIII-cum-Spl. Judge Excise Court No.I, Gopalganj, in connection with **Hathua P.S. Case No. 304 of 2025**, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned trial Court.

(Arun Kumar Jha, J)

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