

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26999 of 2026

Arising Out of PS. Case No.-1465 Year-2025 Thana- AHYAPUR District- Muzaffarpur

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1. Prabhat Kumar @ Golu Kumar S/o Vinod Prasad R/o Village - Simraha Chaturbhuj, Jhapaha, P.S - Ahiyapur, District - Muzaffarpur
 2. Raja Kumar S/o Vinod Prasad R/o Village - Simraha Chaturbhuj, Jhapaha, P.S - Ahiyapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Preety Kunwar, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in connection with Ahiyapur P.S. Case No. 1465 of 2025, dated 21.10.2025, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022, pending before the Court of Special Judge, Excise Court No. I, Muzaffarpur.

3. As per the prosecution, total recovery of 10 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that nothing has been recovered from the possession of the petitioners. Furthermore, he submits that the criminal antecedents of the petitioners are not clean, as one



criminal case is pending against the petitioner No. 1 and two criminal cases are pending against the petitioner No. 2.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedents of the petitioners are not clean.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is directed that the petitioners shall surrender before the Trial Court within a period of four weeks from today. In case the petitioners surrender within the said period, the Trial Court is directed to pass orders on their surrender-cum-bail applications on the same day, without being prejudiced by the fact that their anticipatory bail applications have been rejected by this Court. The Trial Court shall pass orders on the merits of the case.

(Dr. Anshuman, J.)

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