

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38768 of 2026

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

Prabhat Kumar @ Ladoo S/O Arun Sah R/O 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

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
04.05.2026 in connection with Sidhwaliya P.S. Case No. 21 of
2026 for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. That the brief facts of the case is that on 28-01-
2026, A.S.I Sunita Kumari gave a typed information addressed
to the SHO of Sidhwaliya P.S. stating therein that on 28-01-
2026 she along with the armed forces of Police Station had
proceeded from the P.S. for patrolling, Bank Checking, Vehicle
Checking and conducting raids against the liquor traders.
During the course of patrolling, when they were at Salempur
village, they received information that liquor trader Prabhat



Kumar alias Ladoo is bringing huge quantity of liquor over his motorcycle through Hasanpur Diyar and if blockade will be made, he can be apprehended. The Police proceeded towards Hasanpur Diyar. When they were 500 meters away from the house of Vijay Singh Dilar, in the Diyara, they saw a person coming over motorcycle with three sacks tied over it. Seeing the Police vehicle, the rider of the motorcycle tried to turn the motorcycle and flee away, but due to sand he failed, thereafter, leaving the motorcycle, he started fleeing away. The Police chased him, but taking advantage of the bushes, he managed to flee away. Seeing the Police action, the villagers gathered. On query, the villagers and the local Chowkidar disclosed the identity of fled away person as Prabhat Kumar alias Ladoo. Duly following the search and seizure rules, the Honda S.P. 125 Motorcycle being Reg. No. BR28AG5977 and the sacks kept over the motorcycle were searched. On search, from the dickey of the motorcycle total 10 liter of Country made Chulai liquor was recovered and from the sacks 120 liter of country made Chulai liquor was recovered. In total 130 liter of country made liquor was recovered. The recovered liquor and motorcycle were duly seized upon preparation of seizure list over which the independent witness put their signature. As there is complete



ban on liquor in the state of Bihar and transportation and sell of liquor is a cognizable offence therefore the Informant request to take action against Prabhat Kumar alias Ladoo.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. It is further submitted that it appears from the FIR that recovery of 130 liters of country made liquor has been made from the motorcycle. It is next submitted that the petitioner has been made an accused in the present case on the basis of disclosure made by local chowkidar as well as petitioner is owner of the motorcycle in question. Learned counsel for the petitioner next submits that petitioner is in custody since 04.05.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of two cases other than the present case but fairly submits that the petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-XIII-cum-Special Excise Court



No.1, Gopalganj in connection with Sidhwaliya P.S. Case No. 21 of 2026 subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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