

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43111 of 2026

Arising Out of PS. Case No.-23 Year-2026 Thana- KATHAIYA District- Muzaffarpur

Subhash Kumar S/o Bindalal Bhagat R/o Mohalla - Baruraj Dakahi, P.S. -
Baruraj, Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in Kathaiya P. S. Case No. 23 of 2026 registered for the offence punishable under Section 317(5) of the Bharatiya Nyaya Sanhita and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, 51.840 liters illicit liquor was recovered from the seized motorcycle of which this petitioner is registered owner.

4. Learned counsel for the petitioner submits that no incriminating material has been recovered from conscious possession of the petitioner. Petitioner has got no concern with the alleged recovery and he has been made accused in this case only on suspicion. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for



bail of the petitioner.

6. Considering the fact that petitioner is owner of the seized motorcycle, prayer for anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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