

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44565 of 2026

Arising Out of PS. Case No.-230 Year-2026 Thana- MOTIHARI MUFASIL District- East
Champaran

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Shambhu Prasad @ Shambhu Prasad Kushwaha S/O Asharfi Prasad @
Ashrafi Prasad R/O village - Godhwa, P.S- Motihari Muffasil, Dist- East
Champaran

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Anil Kumar
For the Opposite Party/s :	Mr. Shyam Kumar Singh, APP
	Mr. Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-07-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Motihari Muffasil P.S. Case No. 230 of 2026 registered for the
offence under Sections 111(1) of the Bharatiya Nyaya Sanhita,
2023 and Section 30(a) and 41(1) of the Bihar Prohibition and
Excise Act.

3. There is recovery of 52 liters of spirit. The
petitioner is alleged to have been involved in organizing the
illegal trade of spirit and in possessing the same. The name of
the petitioner has surfaced in the case on the basis of the self-
inculpatory statement of the co-accused.



4. The petitioner is in custody since 16.05.2026 and has seven criminal antecedents. The allegations against the petitioner are serious and grave in nature. There exists *prima facie* material against the petitioner indicating his involvement in the commission of the offence.

5. Considering the recovery of spirit, the nature of allegations levelled against the petitioner and his criminal antecedents, this Court is not inclined to enlarge the petitioner on regular bail.

6. Accordingly, this application for regular bail stands dismissed.

7. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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