

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90097 of 2025

Arising Out of PS. Case No.-166 Year-2025 Thana- SINDHIYA District- Samastipur

1. Radhe Shyam Mukhiya @ Radhe Mukhiya S/o Late Asharfi Mukhiya R/o Village- Pipra, PS- Sindhiya, Distt- Samastipur
2. Sanjay Poddar S/o Bhola Poddar R/o vill - Sumbha, P.s.- Sindhiya, Distt.- Samastipur

... .. petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the petitioners/s : Mr. Madhav Kumar, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest in connection
with Singhiya PS Case No. 166 of 2025 instituted for the
offences under Section 30(a) of the Indian Penal Code.

3. The prosecution case, in short, is that total 152.640
litres of liquor was recovered from car.

4. Learned counsel for the petitioners submitted that
the petitioners have falsely been implicated in the present case.



The names of the petitioners transpired in this case on the basis of disclosure made by apprehended co-accused person. Learned counsel further submitted that petitioners are neither the owner nor the driver of the vehicle. The petitioners has got no concern with the alleged recovery of liquor. The petitioners has three criminal antecedents each. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel for the petitioners, therefore, contends that prima-facie no case is made out against the petitioners.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners. It is submitted that petitioners bears three criminal antecedent/s, that too of the similar nature, hence, petitioners does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and specifically taking into account the fact that petitioners bears three criminal antecedent/s, that too of the similar nature, this Court is not inclined to grant anticipatory bail to the petitioners. Prayer for grant of anticipatory bail to the petitioners is hereby *rejected*.

7. However, if the petitioners surrenders before the court below within a period of four weeks from today and prays



for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

