

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.890 of 2026

Arising Out of PS. Case No.-993 Year-2025 Thana- MAHUA District- Vaishali

Janakdhari Kumar @ Janakdhari @ Janjali Ray Son of Ramjanam Ray
Resident of Village - Dharmapur, Diwantok, P.S.- Ganga Bridge, District -
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

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

ORAL ORDER

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

2. The petitioner apprehends his arrest in connection
with Mahua PS Case no. 993 of 2025 instituted for the offences
under Sections 274 & 275 of the Bharatiya Nyaya Sanhita,
2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1360
litres of liquor was recovered from Tata Ace vehicle.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
The name of the petitioner transpired in this case on the basis of
disclosure made by apprehended co-accused person. Petitioner
is neither the owner nor the driver of the vehicle in question.



Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has four criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel for the petitioner, therefore, contends that prima-facie no case is made out against the petitioner.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner bears four criminal antecedent/s, that too of the similar nature, hence, petitioner 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 petitioner bears four criminal antecedent/s, that too of the similar nature, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for grant of anticipatory bail to the petitioner is hereby *rejected*.

7. However, if the petitioner 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/-

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