

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6130 of 2026

Arising Out of PS. Case No.-495 Year-2025 Thana- MALSALAMI District- Patna

Niranjan Kumar @ Niranjan Roy S/o Chanarik Roy Resident of vill-
Kaimashikoh, P.S- Chowk, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

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

ORAL ORDER

2 03-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Malsalami P.S. Case No. 495 of 2025, registered under Section
317(5) 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 60 liters
liquor was recovered from scooty.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel for the petitioner also submitted
that the petitioner was not present at the place of occurrence.
Name of the petitioner has transpired in this case on the basis of
confessional statement made by co-accused person and the same
has got no evidentiary value. The petitioner has got four



criminal antecedents. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 26.11.2025 passed in Cr. Misc. No. 80545 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that co-accused person has confessed the name of the petitioner in the alleged occurrence. It is further submitted that the petitioner bears four criminal antecedents of same nature. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and criminal antecedent of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Rajorshi/-

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