

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90982 of 2025

Arising Out of PS. Case No.-531 Year-2025 Thana- MALSALAMI District- Patna

Biru Kumar @ Veeru Kumar S/O Hoti Rai Resident of Village- Purvi
Nandgola, P.S- Malsalami, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, 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 Malsalami PS Case No. 531 of 2025 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 220
liters of liquor was recovered, out of which 105 liters liquor
recovered from co-accused bag.

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. The petitioner has



got no concern with the alleged recovery of liquor. The petitioner has six 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. Other co-accused has been granted bail by this Court vide order dated 24.11.2025, passed in Cr. Misc. No. 78988 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner bears six 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 six 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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