

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21236 of 2026

Arising Out of PS. Case No.-42 Year-2026 Thana- MALSALAMI District- Patna

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1. Golu Kumar @ Golu @ Raushan @ Raushan Kumar Son of Late Ganga Prasad @ Ganga Sagar Prasad R/o Village - Nuruddin Ganj, P.S. - Malsalami, Dist. - Patna.
 2. Golu Kumar @ Ravi Kumar @ Molu @ Molu Kumar Son of Late Ganga Prasad @ Ganga Sagar Prasad R/o Village - Nuruddin Ganj, P.S. - Malsalami, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-04-2026 Heard learned counsel appearing on behalf of the
petitioners and the learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with
Malsalami P.S.Case No.42 of 2026, registered for the offences
punishable under Sections 30(a) of Bihar Prohibition and
Excise Act.

3. As per the allegation made in the FIR, the police
seized 19.98 ltrs. of foreign liquor kept in a jute sack.

4. Learned counsel appearing on behalf of the
petitioners submitted that petitioners are innocent and they have
been falsely implicated in the present case. Learned counsel
further submitted that the petitioner no.1 has five criminal



antecedent and the petitioner no.2 has got two criminal antecedents.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties, as well as, having considered the fact that several cases are pending against the petitioner no.1, I am not inclined to enlarge the petitioner no.1 on pre-arrest bail.

7. So far as petitioner no.2 is concerned, considering the fact that the State has failed to implement the prohibition in the State of Bihar in its true spirit, the petitioner no.2, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna City, District Patna/concerned court, in connection with Malsalami P.S.Case No.42 of 2026, subject to conditions as laid down under Section 482(2) of BNSS of 2023

8. The learned district court is directed to verify the criminal antecedent of the petitioner no.2 and if it is found that the petitioner no.2 is involved in some other cases as what has



been stated in paragraph No.3 of the bail application, this order
will automatically lose its force.

(Purnendu Singh, J)

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