

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 29453 of 2026

Arising Out of PS. Case No.-170 Year-2026 Thana- MALSALAMI District- Patna

Rakesh Kumar @ Gola S/O Sanjivan Ray @ Sajivan Ray R/O Nurudinganj,
Ghat Kinare, P.S.- Malsalami, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mithilesh Kr. Arya, Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 11-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present application has been filed seeking regular bail in connection with Malsalami P.S. Case No. 170 of 2026, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, the recovery of 300 litres of country-made wine have been made from the place of occurrence and one keypad mobile has been recovered from the possession of the petitioner. The petitioner is in custody since 25.03.2026 and claims to be clean antecedent.

4. Learned counsel for the petitioner submits that the petitioner undertakes to donate a sum of Rs. 25,000/- (Rupees Twenty-Five Thousand Only) to a charitable organization,



without prejudice to his defence and without admitting guilt.

5. Learned A.P.P. for the State opposed the prayer for bail.

6. Having considered the facts and circumstances of the case, the period of custody and the submissions advanced on behalf of the parties, the application for bail is allowed.

7. Accordingly, the petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/successor court in connection with Malsalami P.S. Case No. 170 of 2026, subject to the following conditions:-

(i) The petitioner shall deposit a sum of Rs. 25,000/- (Rupees Twenty-Five Thousand Only) with Ramakrishna Mission Ashrama, Ramakrishna Avenue, Patna, Bihar and shall produce a valid receipt thereof before the court below. The bail bonds shall be accepted only after verification of the genuineness of the said receipt.

(ii) The petitioner shall mark his attendance at Malsalami Police Station on every Sunday of each month. In the event of default, the bail bonds shall be liable to be cancelled.

(iii) At the time of acceptance of bail bonds, the court below shall verify the antecedents of the petitioner. The bail bonds shall be accepted



only upon confirmation that the petitioner has no criminal antecedent. However, such verification shall not be used as a ground to unnecessarily delay acceptance of the bail bonds.

(Sandeep Kumar, J)

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