

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2770 of 2026**

Arising Out of PS. Case No.-321 Year-2025 Thana- RAGHOPUR District- Vaishali

Shiv Nath Ray S/o Lakshman Dev Ray @ Lakshn Devi Rai R/o village -  
Purushotampur / Parohan, P.S - Raghopur, (Rustampur), District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Akshay Lal Pandit, A.P.P.

**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 seeks bail in connection with Raghopur (Rustampur) P.S. Case No. 321 of 2025, instituted for the offences punishable under Sections 274 and 275 of the BNS and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 360 liters liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner further submitted that the recovery has been



made from joint house of the petitioner, where other family members also reside. The petitioner is in custody since 05.12.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raghapur (Rustampur) P.S. Case No. 321 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.



(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

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