

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7858 of 2026**

Arising Out of PS. Case No.-303 Year-2025 Thana- Excise P.S. District- Sheohar

Hiralal Ray S/o- Vidyanand Ray Resident of village- Rampur Jadu ward no  
01 P.S.- Fatehpur District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate  
For the Opposite Party/s : Mr.Chobey Jawahar, A.P.P.

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

ORAL ORDER

2      10-02-2026                      Heard learned counsel for the petitioner and Mr.  
Choubey Jawahar, learned APP for the State.

2. The petitioner seeks bail in connection with  
Sheohar Excise P.S. Case No. 303 of 2025, instituted for the  
offences punishable under Section 30(a) of the Bihar Prohibition  
and Excise Act.

3. The prosecution case, in short, is that total 103.680  
liters liquor was recovered from hut.

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 hut, which is an open place and accessible to public at large. The petitioner is in custody since 12.12.2025 and has got 08 criminal antecedents. 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, ***after framing of charge, if not already framed***, 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 Sheohar Excise P.S. Case No. 303 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during



the course of trial.

(IV) The Petitioner shall not commit offence of a similar nature in future.

(V) The Petitioner shall not leave the territorial jurisdiction of the learned court below without prior permission of the court concerned.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

manish/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

