

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7111 of 2026

Arising Out of PS. Case No.-92 Year-2020 Thana- RAGHOPUR District- Vaishali

Harendra Ray Son of Late Mangal Ray R/o Sukumarpur, P.S. Raghapur,
(Rustampur O.P.), District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

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

ORAL ORDER

2 30-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Raghapur (Rustampur OP) P.S. Case No. 92/2020 instituted for the offences punishable under Sections 30(a)(c)(d) and 41 of the Bihar Prohibition and Excise Act and Section 414 read with Section 34 of the Indian Penal Code.

3. The prosecution case, in short, is that total 220 litres of liquor was recovered from six jute bags including one motorcycle.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious



possession of the petitioner rather the recovery has been made from an open place which is accessible to public at large. The other co-accused person has already been granted bail by this court vide order dated 19.01.2026 passed in Cr. Misc. No. 510/2026. The petitioner is in custody since 24.12.2025 and has six criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika 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 as also 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 OP) P.S. Case No. 92/2020, 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 tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) If the petitioner is found involved in the similar nature of offence in future, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

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