

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13283 of 2026

Arising Out of PS. Case No.-188 Year-2021 Thana- RAGHOPUR District- Vaishali

Harendra Ray Son of Late Mangal Ray R/O Village - Sukumarpur, P.S.-
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.Veena Kumari Jaiswal, APP

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

ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Raghopur (Rustampur
O.P.) P.S. case No. 188/2021 instituted for the offences under
Sections 272, 273, 34 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 250 liters
liquor was recovered from plastic gallon.

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. It is



further submitted that recovery is made from open place which is easily accessible to one and all. The petitioner is in custody since 13.01.2026 and has got six criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023. Co-accused has been granted even anticipatory bail by this Bench vide order dated 19.01.2026 passed in Cr. Misc. No. 3392 of 2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. The petitioner has six criminal antecedents.

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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raghapur (Rustampur O.P.) P.S. case No. 188/2021, 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 and shall not remain absent on two consecutive



dates without sufficient cause.

(III) The petitioner will not tamper with the evidence or the witnesses during the trial.

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

If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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