

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40893 of 2026

Arising Out of PS. Case No.-128 Year-2026 Thana- ISUAPUR District- Saran

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Sheopujan Rai S/O Bisheshwar Rai R/O Vill- Hakarpur (Hakapur Laua), P.O.-
Sarhawara, P.S- Ishuapur, Dist- Saran at Chapra-841421.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan

For the Opposite Party/s : Mr.Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
15.05.2026 in connection with Ishuapur P.S. Case No. 128 of
2026 for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2022.

3. According to prosecution case, one Gaurav Kumar
Gaurav (Informant) SHO of Ishuapur P.S. furnished a typed
report in the concern court wherein stated that on 14.04.2026 at
23:10 hours in information of excise unit, Patna raid has been
conducted. When at 23:30 hours the informant was at Achitpur
Chowk, then received secret information that one Umesh Rai
along with his associate demanded huge quantity of liquor. After
verification of the Information alongwith Excise Unite, Mashrak



proceeded at Hakarpur village at 23:50 hours. Seen the police party some miscreants are fleeing away after len 5-6 gallon but they have not caught due to darkness of the spot some local peoples assembled there and Mahal Chaukidar discloses about the person who were flee away as 1. Umesh Rai, 2. Sanjit Rai, 3. Sailendra Rai 4. Shivpujan Rai and 5. Chuman Rai, when the informant in the light of torch seen 24 gallons have been found in Bamboo orchard (Basbari) of Shiv Pujan Rai. In presence of police officer search has been made of 24 Gallons wherein 26-26 liters of Mac hydrol AW 46 liquid like as sprit have been recovered. In presence of two police officials seizure list has been prepared.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and has falsely been implicated in the present case. Learned counsel for the petitioner submits that it appears from the FIR and seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the vehicle in question. It is next submitted that name of the petitioner has transpired on the basis of disclosure made by local chowkidar and except the aforesaid nothing has come during the investigation to suggest the involvement of the petitioner in the present occurrence and



petitioner is in custody since 15.05.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioner has clean antecedent and name of the petitioner has transpired on the basis of disclosure made by local chowkidar, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Exclusive Special Excise Judge, Saran at Chapra in connection with Ishuapur P.S. Case No. 128 of 2026, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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