

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90294 of 2025

Arising Out of PS. Case No.-69 Year-2020 Thana- RAGHOPUR District- Vaishali

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Srikant Rai @ Umakant Rai @ Kallu Rai @ Srikant Yadav S/o Sanjivan Rai
Permanent R/o Village - Sukumarpur, P.S - Raghapur (Rustampur O.P), P.O -
Jahangirpur, District - Vaishali, Presently R/O Locality - Bagloda Gali
(Mangal Talab), P.S - Chowk, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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**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
Raghapur (Rustampur OP) P.S. Case No. 69 of 2020, instituted
for the offences punishable under Sections 30(a)(d) and 41 of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 60 liters
liquor was recovered from three motorcycles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this 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 also submits that the petitioner was not arrested on spot. Name of the petitioner has transpired in this case on the basis of secret information received by the police. It is further submitted that the petitioner is not the owner of the motorcycles in question. The petitioner is in custody since 26.08.2025 and has got eight 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 Raghapur (Rustampur OP) P.S. Case No. 69 of 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 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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