

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.510 of 2026

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

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Srikant Rai @ Umakant Rai @ Kallu Rai @ Srikant Yadav S/o- Sanjivan Rai
R/v- Sukumarpur, P.S- Raghapur Rustampur O.P., P.O- Jahangirpur, District
Vaishali, and presently R/O Locality - Baglodan 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.Dr. Kumar Uday Pratap, 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 Raghapur (Rustampur
OP) P.S. case No. 92 of 2020 instituted for the offences under
Sections 30(a)(c)(d) and 41 of the Bihar Prohibition and Excise
Act and Section 414/34 of the Indian Penal Code.

3. The prosecution case, in short, is that 220 liters
liquor was recovered from 6 jute bags including one
motorcycle.

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 the name of the petitioner has transpired on the basis of secret information as per F.I.R. The source and genuineness of the secret information has not been disclosed by the prosecution. Recovery has been made from an open place accessible to public at large. The motorcycle in question does not belong to the petitioner. The petitioner is in custody since 24.08.2025 and has got eight criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. The petitioner has eight criminal antecedents, hence, he does not deserve bail.

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 OP) P.S. case No. 92



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.

(Rudra Prakash Mishra, J)

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