

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15406 of 2022**

Arising Out of PS. Case No.-67 Year-2022 Thana- NARPATGANJ District- Araria

Rafiq @ Md Rafiq Son of Kadir Resident of Village - Matiyari, Ward no.3,
P.s.- Forbesganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

6 12-12-2022 Heard the parties.

It appears from the report of Exclusive Special Judge
Excise-1, Araria that, as per report of concerned S.H.O.,
motorcycle in issue is not stolen property.

Considering the above, the provisional bail granted to
the petitioner vide order dated 19.10.2022 is being confirmed
with same bail bond and sureties.

It appears that vide order dated 19.10.2022, a report
was called for regarding status of the motorcycle, whether it was
stolen or not before releasing petitioner on provisional bail but
same was obtained on 05.11.2022, much after release of this
petitioner by ignoring the order of this Court.

Let an explanation be furnished positively within two
weeks by the Court of Exclusive Special Judge Excise-1, Araria



that how the petitioner was released on provisional bail without obtaining report regarding motorcycle, whether it is stolen or not.

Aforesaid explanation be made available to this Court in connection with Narpatganj P.S. Case No. 67 of 2022 from the Court of learned Special Judge Excise -1, Araria, positively, on the next date of hearing.

Put up this case on 10.01.2023, retaining its own position.

(Chandra Shekhar Jha, J)

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