

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55897 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- SIKTI District- Araria

RAFIQUE @ RAFIQUE ALAM Son of Late Alimuddin @ Aamin Saheb R/o
Village-Salguri, P.S.-Sikti, District-Araria (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tarun Kumar Shekhar
For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, the petitioner along with co-accused is alleged to have apprehended on spot with a motorcycle from whose possession, 44.7 liters illicit liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. The seized motorcycle does not belong to the petitioner and the petitioner has also no concern with the alleged recovery of illicit liquor. No any incriminating article has been



recovered from conscious possession of the petitioner. The petitioner is languishing in judicial custody since 2.5.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sikti P.S. Case No. 128 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.2, Araria.

(Sunil Kumar Panwar, J)

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