

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70070 of 2024**

Arising Out of PS. Case No.-117 Year-2024 Thana- SIKTI District- Araria

MD. RIZWAN @ RIZWAN S/O- MOHSIN @ MOSIM @ MD. MOSIM  
Village- Gopal Nagar W.No-13, Ps- Palasi Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Md Naushaduzzoha, Adv.  
For the Opposite Party/s : Mr. Surendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      30-09-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sikti P.S. Case No. 117 of 2024 dated 29.07.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 143.70 litres of illicit Nepali country made liquor was recovered from the two motorcycles.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the driver of the seized motorcycle. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery.



The petitioner has seven criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 29.07.2024. The co-accused has been granted regular bail by this Court vide order dated 24.09.2024 passed in Cr. Misc. No. 68402 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria in connection with Sikti P.S. Case No. 117 of 2024, with the condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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