

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75916 of 2024

Arising Out of PS. Case No.-243 Year-2024 Thana- SUGAULI District- East Champaran

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Tarikh Alam, aged about 34 years (Male), Son of Rahman Miyan, Resident of Village - Pantoka, P.O.- Patani, P.S.- Ramgarhwa, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party : Mr. Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-10-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sugauli P.S. Case No. 243 of 2024 dated 02.06.2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 35 litres of illicit foreign liquor was recovered from the sack kept on the motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. His name has sprung up in the present case as he is the owner of the said motorcycle. The said motorcycle was given by the petitioner to his co-villager Rozid Mian for his personal use. He had no knowledge about the alleged offence. The petitioner was not driving the said motorcycle at the relevant time of occurrence. He was not apprehended on the spot. Nothing incriminating was recovered from his possession. There is no compliance of Section 100 of the Cr.P.C. The other co-accused Rozid Mian @ Rajeed Miyan, has already been granted bail by a Bench of this Court vide Cr. Misc. No. 53004 of 2024 under order dated 24.07.2024, annexed as Annexure-2 to the present bail petition. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 03.09.2024.

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, 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 Exclusive Special Excise Court No. 1, East Champaran at Motihari in connection with Sugauli P.S.



Case No. 243 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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