

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23209 of 2025

Arising Out of PS. Case No.-188 Year-2024 Thana- SIKTI District- Araria

Md. Halim, Male, aged about 28 years, Son of Md. Dabir @ Dabloo, Resident of Village - Gadhakat, Ward No.11, P.S. - Sikti, District - Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party : Mr. Dr. Kumar Uday Pratap, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 22-07-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sikti P.S. Case No. 188 of 2024 dated 11.12.2024 registered for the offences punishable under Sections 30(a), 32(2), 32(3), 41 of the Bihar Prohibition and Excise (Amendment) Act, 2022 and Sections 317(2) and 317(5) of the B.N.S., 2023.

3. As per the prosecution case, total 180 litres of Resham Lichi Nepali Country made liquor was recovered from the motorcycle of the petitioner and from straw situated near Saidabad Colony.

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



this case. It is submitted that the petitioner has no concern with the alleged offence. The petitioner is not the owner of the seized motorcycle in question. He has no connection with the seized illicit liquor. No incriminating article has been recovered from the possession of the petitioner. There is no statutory compliance of Section 103 of the B.N.S.S., 2023. The petitioner has seven criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 12.12.2024.

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 Exclusive Special Judge, Excise Court-IIInd, Araria in connection with Sikti P.S. Case No. 188 of 2024 with further 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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