

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21475 of 2026

Arising Out of PS. Case No.-222 Year-2026 Thana- Excise P.S. District- Kishanganj

Safakkat Alam @ Md Safkat Alam, S/O Hajrat Ali, R/O Village-Girda ward
no. 11, Ramganj, PS- Jokihat, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-04-2026 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 Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short is that from a vehicle, altogether 121.560 liters of illicit foreign liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He is neither the driver nor the owner of the vehicle. He was just a passenger in that vehicle. He was unaware of the liquor being kept in the vehicle. Nothing has been recovered from his possession. It has further been



submitted that the witnesses of the seizure list are police personnel. Police has not complied Section 105 of the B.N.S.S. while making the seizure. Petitioner is languishing in judicial custody since 23.02.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that petitioner is having criminal antecedent of four cases which is described in para '4' of the bail petition.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Madya Nisedh P.S. Case No. 222 of 2026 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 Judge, Excise-II, Kishanganj **with the condition that petitioner shall not indulge himself in similar nature of offences in future.**

(Ashok Kumar Pandey, J)

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