

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24216 of 2026

Arising Out of PS. Case No.-60 Year-2026 Thana- SIKTI District- Araria

Md. Kafil Alam @ Kafil @ Md. Kafil S/o Md. Hasamuddin @ Md. Asamuddin Resident of Village- Singhia, Ward No. 03, P.S.- Sikty, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2026 Heard Mr. Vijay Kishore Bharti, learned counsel
for the petitioner and Ms. Asha Devi, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
27.02.2026 in connection with Sikri P.S. Case No. 60 of 2026,
F.I.R. dated 27.02.2026 for the offences punishable under
Section 30(a), 32(2) and 41 of the Bihar Prohibition and Excise
Act, 2018.

3. Recovery is of 276 liters of Nepali liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case merely on the basis of suspicion. He further
submits that it appears from the F.I.R. as well as seizure list that



nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from vehicle in question and the petitioner was apprehended along with the illicit liquor. He further submits that petitioner has no concern at all with the seized motorcycle or liquor. He further submits that there is non-compliance of Section 103 and 105 of BNSS and the petitioner is in custody since 27.02.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-cum-Exclusive Special Judge Excise-II, Araria in connection with Sikri P.S. Case No. 60 of 2026, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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