

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37394 of 2026

Arising Out of PS. Case No.-368 Year-2025 Thana- JOKIHAT District- Araria

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Jafar Alam S/o Israil @ Md. Israil Resident of Roopauli, Rupaili, Ward No.-
4, P.S.- Araria (R.S.), District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Naushaduzzoha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2026 Heard Mr. Md Naushaduzzoha, learned counsel for
the petitioner and Mr. Rajendra Prasad Nat, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
09.04.2026, in connection with Jokihat P.S. Case No. 368 of
2025, F.I.R. dated 12.11.2025 registered for the offences
punishable under Section 30(a) of Bihar Prohibition & Excise
Act, 2016.

3. Recovery is of 90.78litres of *foreign* liquor.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that it
appears from the F.I.R. that recovery has been made from the
Tempo in question and the driver namely, Mukhtsar was



apprehended along with the illicit liquor and petitioner has been made accused in the present case merely on the ground that the petitioner is the owner of the Tempo in question. He further submits that petitioner has no concern at all with the alleged recovery of illicit liquor and he has no knowledge that co-accused person, namely, Mukhtsar is carrying the liquor in question. The petitioner is in custody since 09.04.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and he has been made accused in the present case merely on the ground that he is the owner of the Tempo in question, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-II, Araria in connection with Jokihat P.S. Case No. 368 of 2025, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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