

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13771 of 2025

Arising Out of PS. Case No.-441 Year-2024 Thana- TURKAULIYA District- East Champaran

Sunil Sah Son of Late Hajari Sah Resident of Village - Belwa Pethiya, P.S. - Turkauliya, District - East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
Mr. Dhananjay Kumar Gupta, Advocate
Mr. Dhandev Kumar, Advocate
Mr. Atul Kumar, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 274, 275 and 3(5) of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation in the FIR, total six liters of illicit country made liquor has been recovered from the co-accused.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that nothing has been recovered from the conscious possession of the petitioner and his name surfaced from the confessional statement of co-accused Anshu Kumar and



petitioner has got clean antecedent as stated in para-3 of the petition.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

6. On perusal of the first information report and impugned order dated 20.01.2025, it appears that total six liters of illicit liquor has been recovered from the conscious possession of a co-accused and not this petitioner and he has got clean antecedent as stated in para-3 of the petition, so I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court NO.1, East Champaran, Motihari in connection with Turkauliya P.S. Case No. 441 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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