

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17246 of 2025

Arising Out of PS. Case No.-546 Year-2024 Thana- TURKAULIYA District- East
Champaran

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Shyambabu Kumar S/O Sukul Ram R/O Village- Bijilpur Bankati, P.S-
Turkauliya, Distt.- East Champaran (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Turkauliya PS Case No. 546 of 2024 instituted for the offences
under Sections 30(a) and 41(1) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 41.54
litres of illicit liquor was recovered from motorcycle behind the
house of co-accused Gauri Mahto.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted



that recovery is made from an open place, which is accessible to one and all. It is further submitted that motorcycle in question does not belong to the petitioner. The petitioner is in custody since 22.12.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail by this Court *vide* order dated 25.02.2025 passed in Cr. Misc. No. 12579 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Turkauliya PS Case No. 546 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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