

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30715 of 2025

Arising Out of PS. Case No.-39 Year-2021 Thana- TURKAULIYA District- East Champaran

Dilip Sah @ Dilip Kumar S/o- Vishwanath Sah Village- Bhela Chhapra Ps-
Turkauliya District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending arrest in connection with Turkauliya P.S. Case No. 39 of 2021, dated 11.02.2021, lodged under Sections 272, 273/34 IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, total recovery of 11 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that from the seizure list, it transpires that the recovery of the said liquor has been made from the house of the petitioner while contents of the FIR suggests that the recovery has been made from a hut. Counsel also submits that the



petitioner has got no concern with the said hut which is easily accessible to each and every one as it is in public domain. Counsel also submits that the petitioner has got clean antecedent and further undertakes that the petitioner shall not indulge in such criminal cases in future.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that the petitioner has got clean antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Additional District & Sessions Judge-II-cum- Special Judge- Excise, East Champaran, Motihari in connection with aforesaid P.S. Case, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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