

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50165 of 2025

Arising Out of PS. Case No.-444 Year-2024 Thana- TURKAULIYA District- East
Champaran

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Bipin Baitha S/o Pundeo Baitha @ Punyadev Baitha R/o vill - Mahanwa @
Mahamwa, P.s. - Turkauliya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

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

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

ORAL ORDER

2 25-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Turkauliya PS Case No. 444 of 2024 instituted for the offences
under Sections 274, 275, 3(5) of B.N.S. and Sections 30(a) and
41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 50 litres
of country made liquor was recovered from the motorcycle.

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 motorcycle in question does not belong to the petitioner. It



is further submitted that the name of the petitioner has transpired on the confessional statement of apprehended co-accused person namely, Rajesh Sah. The petitioner is in custody since 20.05.2025 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 19.12.2024 passed in Cr. Misc. No. 86808 of 2024.

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. 444 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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