

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72711 of 2025

Arising Out of PS. Case No.-360 Year-2025 Thana- TURKAULIYA District- East
Champaran

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Sunil Sah Son of Late Rajvanshi Sah Resident of village - Shankar @ Sankar
Saraiya, Rama Singh Babu Tola, P.S.- Turkauliya, District - East Champaran,
Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in
connection with Turkauliya P.S. Case No. 360 of 2025
registered for the alleged offences under Sections 2318(4), 338,
336(3), 340(2) of Bharatiya Nyaya Sanhita, 2023 and Section
30(a), 30(b), 32(2), 32(3), 33, 36, 41(1) and 41(2) of the Bihar
Prohibition & Excise Act, 2016.

03. As per prosecution case, an information was
received about a truck loaded with spirit going towards
Chhapwa. The said truck was intercepted and co-accused driver
of the truck, Harshit Singh, was apprehended. The name of the
petitioner transpired during investigation for being liner in the



whole episode.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from the conscious possession of the petitioner. The allegation levelled against the petitioner is completely vague and baseless. The petitioner's name transpired in this case on the basis of statement given by the driver and recorded by the police, which was later on manipulated. The petitioner has been made accused in this case in order to extort money from him. The petitioner is in custody since 26.07.2025. The petitioner is having antecedent of 09 cases and he is on bail in all these cases.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession and also considering the period of custody of the petitioner, the petitioner above named is directed to 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 learned Exclusive Special Excise Judge-I, East Champaran at Motihari/court concerned in connection with Turkauliya P.S. Case No. 360 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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