

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88081 of 2024**

Arising Out of PS. Case No.-413 Year-2024 Thana- TURKAULIYA District- East
Champaran

Sunil Sah Son of Late Rajvanshi Sah @ Rajwanshi Sah Resident of Village-
Shankarsaraiya, Rama Singh Tola (Babu Tola), P.S.- Turkauliya, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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

ORAL ORDER

2 07-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Turkauliya P.S. Case No. 413 of 2024 instituted for the offences
punishable under Sections 274, 275 of the B.N.S. and 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 25 litres
of spirit has been recovered from the orchard.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made



from an open place. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 28.09.2024 and has eleven criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 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 P.S. Case No. 413 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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