

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89593 of 2024

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

Tuna Baitha @ Tunna Baitha S/o Sukan Baitha @ Sukun Baitha Resident of
village- Mahanwa, PS- Turkauliya, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Kumar Pandey
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Turkauliya P.S. Case
No. 444 of 2024 dated 19.10.2024 registered for the offences
punishable u/ss 274, 275 read with section 3(5) of the BNS and
section 30(a), 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 50 litres of illicit
country made liquor was recovered from the motorcycle of the
co-accused Rajesh Shah.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. The petitioner is neither the driver nor the owner of



the said vehicle. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran at Motihari in connection with Turkauliya P.S. Case No. 444 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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