

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14783 of 2026

Arising Out of PS. Case No.-618 Year-2025 Thana- TURKAULIYA District- East
Champaran

Hathu Sah @ Chhathu Sah, S/o Late Prit Sah Resident of village- Singhpur
Badraha @ Jaisinghpur Badraha, Ps- Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ujjwal Kumar Singh, Advocate
For the Opposite Party/s : Ms. Renu Kumari, A.P.P.

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

ORAL ORDER

2 27-02-2026 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. 618 of 2025, instituted for the offences
punishable under Sections 274, 275 and 3(5) of the B.N.S. and
u/s 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 404
liters of country made liquor was recovered from roofless semi
constructed house. Petitioner was arrested on the spot.

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. The petitioner has no concern either with the seized liquor or the place or recovery or any trade of liquor. Learned counsel for the petitioner further submitted that the recovery has been made from roofless semi-constructed house, which is an open place and is accessible to public at large. The petitioner is in custody since 31.12.2025 and has got three criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen 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. 618 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close member.



(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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