

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40913 of 2026

Arising Out of PS. Case No.-504 Year-2020 Thana- TURKAULIYA District- East
Champaran

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Tufan Baitha Son of Surya Baitha Resident of Village- Bijulpur Bankati, P.S.-
Turkauliya, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Turkauliya P.S. Case No. 504 of 2020 registered for the offences punishable under Sections 272, 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to have in possession of **28 litres** of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that recovery of alleged illicit liquor was not made from conscious possession of this petitioner. It is submitted that seizure list also appears disputed being not supported by



independent witnesses and, moreover, petitioner is a man of clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from physical possession of this petitioner, who is a man of clean antecedent, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 1, East Champaran, Motihari/concerned court in connection with Turkauliya P.S. Case No. 504 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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