

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43844 of 2025

Arising Out of PS. Case No.-126 Year-2025 Thana- RAJNAGAR District- Madhubani

Indal Sah @ Indal Kumar Sah S/o Jang Bahadur Sah R/o Village- Hirapatti,
P.S.- Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Rajnagar P.S. Case No. 126 of 2025 lodged on 02.04.2025, for the offence punishable under Sections 274, 275 & 3(5) of the of the Bharatiya Nyaya Sanhita, 2023 read with sections 30(a) & 47 of the Bihar Prohibition and Excise (Amendment) Act, 2022, pending in the Court of Exclusive Special Judge, Excise Act, Madhubani.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner and owner of a vehicle. Total recovery of 135 litres of illicit liquor has been made which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the conscious possession of the petitioner and he has falsely been implicated in this case only due to dirty village politics. Counsel submits that the petitioner was not apprehended from the place of occurrence. Counsel further submits that the criminal antecedent of the petitioner is not clean as there are six cases pending against him in which, in four cases, he is on bail and in rest two cases, he is persuading for bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean as there are six cases pending against him and all cases are registered under Excise Act and this aspect must be taken into consideration.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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