

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45972 of 2025

Arising Out of PS. Case No.-124 Year-2011 Thana- BENIPATTI District- Madhubani

Arun Sah S/o Kusheswar Sah R/o Village- Adhwari, P.S.- Benipatti, District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagandeo Yadav, Adv.

Mr. Ravi Prakash, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 04-08-2025 Heard Mr. Gagandeo Yadav, learned counsel for the
petitioner and Mr. Rajendra Prasad Nat, learned APP for the
State.

2.The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Benipatti P.S. Case No. 124 of 2011 instituted for the
offence under Sections 272, 273 of the Indian Penal Code.

3. The case of the prosecution is that Krishna Mahto
and Madhu Sah has taken a room on rent and from that room,
altogether 280 liters of spirit was recovered. In the last part of
the FIR, it is alleged that the petitioner is also associate of the
said Krishna Mahto.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He also submits that no recovery has been made from the conscious possession of the petitioner. The recovery, if any, has been made from the rented room of Krishna Mahto and Madhu Sah. There is only a suspicion that the petitioner is an associate of those persons. It has also been disclosed by the learned counsel for the petitioner that the investigation is still in progress. It has lastly been submitted that a statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Benipatti P.S. Case No. 124 of 2011, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, (Excise



Court), Madhubani, subject to the conditions as laid down under
section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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