

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85921 of 2019

Arising Out of PS. Case No.-627 Year-2019 Thana- NARPATGANJ District- Araria

Rahul Raj, Son of Anirudh Mandal, Resident of Village-Dumariya Ward
No.13, P.S.-Narpatganj, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh
For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-01-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Narpatganj P.S. Case No.627 of 2019 for
the offence punishable under Sections 30(a), 38(2) of the Bihar
Prohibition and Excise Act, 2016.

In view of the observations of this Court calling for a
clarification as to whether codeine which has been allegedly
seized from the house of this petitioner would be covered within
the meaning of 'intoxicant' under the Bihar Prohibition and
Excise Act, 2016, the I.O. of the case is present and has filed an
affidavit explaining the same with a notification dated 18th
October, 2016. According to this notification the codeine would



be covered as an intoxicant. The petitioner has got criminal history of similar nature of offence, however, he is in custody only since 11.11.2019, at this stage, this Court is not inclined to grant him regular bail. Prayer is refused.

He may, however, renew his prayer for bail after a reasonable period.

(Rajeev Ranjan Prasad, J)

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