

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17265 of 2022

Arising Out of PS. Case No.-5 Year-2022 Thana- KODHOBARI District- Kishanganj

ASGAR ALI S/o Jan Mohammad R/o village- Laxmipur, P.S.- Kodhobari,
District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-07-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 30 (a) of the Bihar Prohibition & Excise Act.

As per the prosecution case, 20 bottles of 100 ml of Codine cough syrup were recovered from the shop of this petitioner.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. It is further submitted that cough syrup does not come in the purview of Bihar Prohibition & Excise Act.



Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that 20 bottles of 100 ml of Codine cough syrup were recovered from the shop of this petitioner.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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