

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65160 of 2022

Arising Out of PS. Case No.-496 Year-2022 Thana- KHAGARIA District- Khagaria

SUDHIR SAH SON OF UPENDRA PRASAD SAH R/O VILL.-
SHOBHANI, P.S.- GANGOUR, DISTT.- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

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

21.500 litres of codeine cough syrup was recovered from the house of the petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got one criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the house of the petitioner is joint family property and there is no recovery from the conscious possession of the petitioner.



Learned APP for the State opposed the prayer for anticipatory bail of the petitioner by submitting that codeine cough syrup was recovered from the house of the petitioner.

Considering the fact that codeine cough syrup was recovered from the house of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected in connection with Khagaria (Gangaur) P.S. Case No.496 of 2022, pending in the court of learned Special Excise Judge-1, Khagaria.

(Anjani Kumar Sharan, J)

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