

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53397 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- GAMAHARIYA District- Madhepura

Guddu Kumar @ Pranav Kumar Prabhakar Son of Sri Shyam Yadav @
Surendra Niraj Resident of Village - Parwaha, Ward No.- 4, Police Station -
Gamhariya, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-08-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Gamhariya P.S. Case No.7/2024, registered for the offences
punishable under Section 21(c) of the NDPS Act and Section
30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and allegation is of
recovery of 45.7 litres of codeine cough syrup from the house of
Ranjit Kumar. It is next submitted that petitioner was not
arrested from the spot as such nothing was recovered from his
conscious possession and even alleged recovery is from a place
which does not belong to the petitioner and petitioner has no



connection or relation with Ranjit and he came to be implicated based on confessional statement of Ranjit in police custody, which does not have any evidentiary value.

4. Learned A.P.P. Mr. Chandra Bhushan Prasad vehemently opposes the prayer for anticipatory bail of the petitioner and submits that codeine now is being used as a substitute for liquor which is being sold at a higher rates. It is also submitted that it contains psychotropic substance and thus comes under the N.D.P.S. Act and it is more harmful for the society.

5. Considering the submissions made by the learned APP, the court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. The anticipatory bail application of the petitioner is accordingly rejected.

(Satyavrat Verma, J)

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