

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79007 of 2024

Arising Out of PS. Case No.-173 Year-2024 Thana- Excise P.S. District- Madhepura

Prashant Kumar Singh Son of Hira Singh Resident of Village- Khurhan, Ward
No- 1, P.S. - Alamnagar, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Barun Kumar Singh, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Excise P.S. Case No. 173 of 2024 registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case in short is that 8.5 litres
illegal codeine cough syrup was recovered from plastic sack and
the petitioner was not arrested on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
Nothing has been recovered from the possession of the



petitioner. Petitioner has no concern and knowledge regarding the illegal codeine syrup. Learned counsel next submits that total 17 grams codeine has been recovered from 8.5 litres of cough syrup. It is further submitted that the said contraband is below the commercial quantity. Other co-accused has been granted regular bail by this Court *vide* order dated 28-10-2024, passed in Cr. Misc. No. 77282 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Excise P.S. Case No. 173 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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