

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2978 of 2024

Arising Out of PS. Case No.-608 Year-2023 Thana- Excise P.S. District- Madhepura

Pradeep Kumar Sharma Son Of Late Badri Sharma Resident Of Village -
Suryaganj, Ward No.16, Police Station - Gamahariya, District - Madhepura
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Madhepura Excise P.S. Case No. 608 of 2023 dated 20.11.2023
instituted for the offence punishable under Sections 30(a) of the
Bihar Prohibition and Excise Act.

3. Allegation against the petitioner and other co-accused
person is that total 1 litres codeine cough syrup has been
recovered, out of which 400 ml syrup has been recovered from the
possession of co-accused, namely, Guddu Kumar, who
apprehended at the spot and disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that the petitioner has been made
accused in this case only on the basis of the disclosure made by the



apprehended person, namely, Guddu Kumar. The petitioner is associating with Guddu Kumar and on arrival of police, the petitioner fled away. Learned counsel for the petitioner submits that neither the petitioner has been arrested from the spot nor anything has been recovered from the possession of the petitioner. The petitioner has no concern with the recovered cough syrup. Lastly, it has been submitted that petitioner has one criminal case against him.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Madhepura Excise P.S. Case No. 608 of 2023, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Special Judge Excise, Court No. 2, Madhepura subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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