

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21012 of 2025

Arising Out of PS. Case No.-33 Year-2021 Thana- Excise P.S. District- Madhepura

Sunil Kumar S/O Sri Janak Yadav R/O Vill.- Sakhuwa, Ward no.1, P.S. and
Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Advocate

For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Madhepura Excise P.S. Case No. 33 of 2021 related to Excise Case No. 1061 of 2021 registered on 09.12.2021 for the offenses punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, a total of 94 litres of illegal cough syrup has been recovered, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further submitted that the petitioner has a clean antecedent and has been



falsely implicated in the present case. No recovery has been made from the conscious possession of the petitioner.

5. Learned APP for the State vehemently opposes the prayer for bail.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Madhepura Excise P.S. Case No. 33 of 2021 related to Excise Case No. 1061 of 2021, pending before the learned Additional Sessions Judge VII cum Special Judge Excise-II, Madhepura, is hereby rejected.

7. However, it is directed that the petitioner shall surrender before the Trial Court within a period of four weeks from today. In case the petitioner surrenders within this period, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioner's anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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