

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24413 of 2025**

Arising Out of PS. Case No.-931 Year-2022 Thana- SAHARSA SADAR District- Saharsa

Md. Samshad @ Md. Shamsad S/o Abdul Hamid R/o Machli Market, P.S.-  
Saharsa, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Satish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**

**ORAL ORDER**

2      02-05-2025                      Heard Mr. Satish Kumar Singh, learned counsel  
appearing on behalf of the petitioner and Mr. Manoj Kumar,  
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection  
with Saharsa Sadar P.S. Case No. 931 of 2022 registered for the  
offence punishable under Section 30(a) of the Bihar Prohibition  
and Excise Act, 2016.

3. As per the allegation made in the FIR, 25 litres of  
codine syrup contained in 250 bottles (100 ml codine syrup in  
each) was recovered from an open space, near the house of the  
petitioner.



4. Learned counsel appearing on behalf of petitioner submits that the petitioner is innocent and he has falsely been implicated in the present case. Learned counsel further submitted that the alleged recovery has been made from an open space, near the house of the petitioner, which is accessible to anyone. On these grounds the petitioner seeks to be released on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail.

6. In the facts and circumstances of the case, as well as, the fact that the alleged recovery has been made from an open space, which is accessible to anyone, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-II, Saharsa, in connection with Saharsa Sadar P.S. Case No. 931 of 2022 , subject to the condition as laid down under Section 482(2) of the BNSS.

**7. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that**



**the petitioner is involved in some other cases, as what has  
been stated in Para-3 of the bail petition, this order will  
automatically lose its force.**

**(Purnendu Singh, J)**

Ashishsingh/-

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