

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31760 of 2025

Arising Out of PS. Case No.-1207 Year-2024 Thana- MADHEPURA District- Madhepura

Om Prakash Kumar Son of Manoj Kumar Resident of village - Piprahi, Ward
No.- 08, P.S.- Ghailarh, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-05-2025 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Madhepura (Bharrahi OP) P.S. Case No. 1207 of 2024 registered for the offences punishable under Section 30(a) of the Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of cough syrup, where, there is recovery of 46 liters of codeine Wisc of syrup.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner implicated with



present case only for the reason that he is owner of the car which found carrying cough syrup. It is submitted that recovery of cough syrup was not made from the physical possession of this petitioner. While concluding argument it is submitted that petitioner found involved in one more criminal case of similar nature, where he is on bail.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as, recovery of illicit liquor *prima-facie* not appears to be made from the conscious physical possession of this petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ Vth cum Special Judge, (Excise I), Madhepura/ concerned Court, where the case is pending in connection with Madhepura (Bharrahi OP)



P.S. Case No. 1207 of 2024, subject to the conditions as
laid down under Section 482(2) of BNSS, with further
condition:-

“(i) That petitioner shall not
involve in the similar nature of offence
till the conclusion of trial, failing which
the State shall be at liberty to move
before the Trial Court itself for the
cancellation of bail bond of the
petitioner.

(Chandra Shekhar Jha, J)

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