

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39382 of 2025

Arising Out of PS. Case No.-123 Year-2025 Thana- BEGUSARAI TOWN District- Begusarai

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Vinay kumar Sah @ Vinay Kumar Son of Mantun Sah, R/o Vill-
Kumharchakki , Ward -16 P.S- Mufassil, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate.

For the Opposite Party/s : Mr. Braj Kishore Pd., APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 11-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Begusarai Town P.S. Case No.123 of 2025 instituted under
Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, on secret information
regarding carriage of illegal Corex Syrup, the police team
conducted a raid and recovered 230 bottles, containing 100 ml.
each Corex Syrup, total 100 litre Codein Cough Syrup from the
bag which was in possession of petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case on the basis of suspicion. He further submits that on the
date of alleged incident, the petitioner was standing at the place



of occurrence to catch the Bus for Khagaria in the meantime the police officials asked him to put the signature on the blank page for preparation of seizure list which was denied by him, thereafter the police had apprehended the petitioner. Learned counsel submits that no incriminating article has been recovered from the conscious possession of petitioner. He further submits that there is no compliance of mandatory provisions of search and seizure. Learned counsel submits that petitioner has no concern with the seized material. It is next submitted that the charge-sheet had already been submitted in this case after completion of investigation. He further submits that petitioner has no criminal antecedent and he is in judicial custody since 27.03.2025.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner and submits that there is recovery of huge quantity i.e. 23 litre Codeine Cough Syrup from the possession of petitioner who is involved in the said illegal business. Therefore, the petitioner does not deserve the privilege of bail.

6. Considering submissions made on behalf of the parties, facts and circumstances of the case and the recovery of huge quantity of Codeine Cough Syrup from the possession of



petitioner, this Court is not inclined to enlarge the petitioner above-named on bail. Accordingly, the prayer of bail of the petitioner is rejected.

(Sunil Dutta Mishra, J)

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