

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49648 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- Baijnathpur District- Saharsa

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Aman Kumar Son of Bhola Paswan Resident of Village - Pasatbar, P.S.-
Mahishi, Dist.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Uday Chand Prasad

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Baijnathpur P.S. Case No. 47 of 2025 dated 23.04.2025 registered for the offences punishable u/ss 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 40 litres of Viscodyne cough syrup was recovered from the Car.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is neither the owner nor the driver of the said vehicle. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with



the alleged recovery. The petitioner has three criminal antecedents in which he is on bail in all cases as stated in para 3 of the bail petition. The petitioner is in custody since 24.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the illicit cough syrup recovered in this case belongs to the petitioner. It is further submitted that the petitioner was involved in the trade of illicit cough syrup and the petitioner is habitual offender of Excise Act.

6. Considering the aforesaid facts and circumstances of the case as well as the material available on the record this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Baijnathpur P.S. Case No. 47 of 2025, pending in the Court of learned 1st, Exclusive Special Excise Judge, Saharsa.

7. The application stands rejected and the learned trial court is directed to expedite the trial of the petitioner and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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