

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55701 of 2025

Arising Out of PS. Case No.-963 Year-2025 Thana- Excise P.S. District- Patna

Abhay Shankar S/O Sanjeevan Singh, Resident of Vill.-Mahammadpur, P.S.-
Didarganj, P.O.-Kothia, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prince Kumar, Advocate

Mr. Sanjiv Kumar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

5 16-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Patna Excise P.S. Case No. 963 of 2025 registered under
Sections 30(a), 30(g), 32, 62 and 56(b) of Bihar Prohibition and
Excise Act.

3. As per the prosecution case, on secret information
that in the godown of the M/s Vinay Road Lines Transport
Company, prohibited Codeine Cough Syrup has been stored and
activity of sale and purchase is being done, police conducted
raid at the said place from where 1552 litres of prohibited
Codeine Cough Syrup were recovered and the petitioner being
the *Munshi* of the said company was apprehended from the



place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case being the *Munshi* of the store room/godown engaged for monthly salary. Further submission is that the transport company is engaged in the business of transporting medical and other supplies to different parts of the country and being the *Munshi*, petitioner has no concern with the seized items and the same do not belong to the petitioner. Nothing has been recovered from the conscious possession of the petitioner. It is submitted that the police has not made accused the supplier and transporter of the prohibited Codeine Cough Syrup. It is also submitted that the seized items have been brought in this State after payment of applicable taxes and no offence has been committed by the petitioner. Petitioner is not involved in the illegal trade of prohibited Codeine Cough Syrup. The charge-sheet has already been submitted after completion of investigation and there is no chance of absconding of the petitioner or tampering with the evidence. Petitioner is in custody since 14.06.2025 having no criminal antecedent and he undertakes to cooperate in the trial.

5. Learned A.P.P. for the State opposes the prayer for



regular bail and submits that petitioner is a *Munshi* of the company from where huge recovery of prohibited Codeine Cough Syrup has been made which is commercial in nature.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the huge recovery of prohibited Codeine Cough Syrup, this Court is not inclined to grant regular bail to the petitioner. Accordingly, his prayer for regular bail is, hereby, rejected.

(Sunil Dutta Mishra, J)

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