

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70278 of 2025

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

Md. Gulab @ Md. Gulab Alam Son of Md. Hamid @ Abdul Hamid Resident
of Machhli Market, Police Station - Saharsa Sadar, 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. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-10-2025 Heard Mr. Satish Kumar Singh, learned Counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Saharsa Sadar P.S. Case No. 931 of 2022 for the offence registered under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 16.11.2022 by the informant, Arvind.

3. As per the prosecution story, the informant alleges that on secret information about selling of Corex Syrup from the house by the petitioner, the place was raided and there is recovery/seizure of 21 litre Codeine mixed Cough Syrup, this led to the FIR.

4. Learned Counsel for the petitioner submits that has been recovered from his house which cannot be put in the category of conscious possession.

5. Learned APP on the other hand has taken this Court



to two facts: (i) the case is of the year 2022.

(ii) Even after lodging of the case against him in the year 2022, two more cases were lodged against him in the year 2022 and as such he is not entitled for anticipatory bail.

6. Considering the submissions of the parties, this Court finds force in the submission of the learned State counsel.

7. Taking into account the aforesaid facts, no relief can be granted to the petitioner which is accordingly, rejected.

8. If however, the petitioner surrenders within six weeks, the Court concerned shall take up the matter and dispose it of preferably on the same day.

(Rajiv Roy, J)

Raj Ranjan/-

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