

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69947 of 2025

Arising Out of PS. Case No.-165 Year-2025 Thana- Excise P.S. District- Supaul

Balram Kumar S/o Ajay Kumar Yadav @ Ajay Kumar R/o Village-
Singheshwar Ward No. 13, P.S.- Singheshwar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Mukesh Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 15-11-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Excise
Case No. 1196 of 2025, arising out of Excise P.S. (Supaul) Case
No. 165 of 2025, instituted for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 260 liters of
illicit codeine cough syrup was recovered from the Bolero
vehicle. The petitioner was apprehended on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. The petitioner is



neither owner nor driver of the alleged vehicle. The petitioner is in custody since 24.06.2025 and has got one criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted bail by this Court vide order dated 10.11.2025 passed in Cr. Misc. No. 74091 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned counsel for the petitioner has filed supplementary affidavit stating therein that the Charge-sheet shows that the investigation has been concluded and the petitioner has been sent up for trial under Section 30(A) of the Bihar Prohibition Excise (Amendment) Act, 2018 though the present case relates to codeine based cough syrup which is a psychotropic substance under the N.D.P.S. Act.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail



bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Case No. 1196 of 2025, arising out of Excise P.S. (Supaul) Case No. 165 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

manish/-

U			
---	--	--	--

