

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70976 of 2025

Arising Out of PS. Case No.-223 Year-2025 Thana- SAUR BAZAR District- Saharsa

Sujit Kumar S/o Virendra Yadav @ Birendra Yadav @ Virendra Kumar Yadav
R/o- VII.- Nado, Ward No.- 14, P.O.- Damgadhi Panchayat, Nado, P.S.- Saur
Bazar, District- Saharsa. Pin 852221.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suman Kumar Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 15-10-2025 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Saur Bazar Police Station Case No. 223 of 2025, dated 14.07.2025, disclosing offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioner and his brother are selling corax syrup from their houses, reached the house of the petitioner and on seeing the police, two persons tried to flee away, however the police apprehended one of them, namely, Ajit Kumar, and disclosed the name of the person who fled away as the petitioner. On search of the house of co-accused Ajit



Kumar, the police recovered ten bottles of wiscodin cough syrup of 100 ml. each.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case by the police with ulterior motive. He further submits that the bottles of syrup has been recovered from the joint house of the petitioner, in which other family members also reside. He further submits that co-accused persons, namely, Ajit Kumar, disclosed the name of the petitioner. He further submits that from the seizure list, it would be evident that the cough syrup was recovered from the house of co-accused Ajit Kumar.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the seizure list and the fact that the name of the petitioner transpired in the confessional statement of co-accused person, who is the own brother of the petitioner and the cough syrup was recovered from the house of Ajit Kumar, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest



or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court No. II, Saharsa, in connection with Saur Bazar Police Station Case No. 223 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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