

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78405 of 2025

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

Shankar Kumar S/o Ramesh Paswan @ Ramesh Pasman R/o Village- Jirwa,
Ward No. 02, P.S.- Shankarpur, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 260 litres of Codeine cough syrup from a Mahindra Bolero vehicle. It is next submitted that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated during the course of investigation on the ground that he is owner of the seized vehicle. It is further submitted that petitioner had already sold the vehicle to Balram Kumar much prior to the occurrence.



4. Learned A.P.P. vehemently opposes the anticipatory bail application and submits that Codeine of late in the State of Bihar has become a menace. It is also submitted that though a specific plea has been taken by the petitioner that he had sold the vehicle prior to the occurrence to Balram Kumar but then the transfer of the vehicle is not in accordance with the Motor Vehicles Act, as such, the transfer on stamp paper cannot be given credence when investigation of the case is in its nascent stage.

5. Considering the submissions made by learned APP, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected in connection with Supaul Excise P.S. Case No.165 of 2025, corresponding to Special Excise Case No.1196 of 2025, pending in the court of learned Exclusive Special Judge Excise-II, Supaul.

(Satyavrat Verma, J)

Sanjay/-

U		T	
---	--	---	--

