

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87324 of 2024

Arising Out of PS. Case No.-1212 Year-2024 Thana- MADHEPURA District- Madhepura

Santosh Kumar S/o Rajendar Prasad @ Rajendra Prasad Yadav R/o vill -
Jiwadhpur, ward no. 4, P.S.- Gamhariya, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 20-01-2025 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 Madhepura (Ghailarh) Police Station Case No. 1212 of 2024, dated 19.10.2024, disclosing offence 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 saw two persons coming on a motorcycle carrying a plastic bag and on seeing the police, they tried to flee away, but the police apprehended one of them, who disclosed his name as Neeraj Kumar and the arrested accused person disclosed the name of the petitioner as the person who fled away. On search, the police recovered 10 bottles of corax 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 on the basis of disclosure of his name by the arrested co-accused person, who had borrowed the motorcycle of the petitioner for some urgent work. He further submits that the petitioner has got no criminal antecedent.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that only ten bottles of cough syrup has been recovered from the possession of the co-accused person and the petitioner has got no criminal antecedent, 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 Exclusive Special Excise Court No. I, Madhepura, in connection with Madhepura



(Ghailarh) Police Station Case No. 1212 of 2024, subject
to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

