

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1369 of 2025

Arising Out of PS. Case No.-203 Year-2024 Thana- Excise P.S. District- Madhepura

Kadamlal Kumar S/O Late Krishna Sharma R/O Village- Suryaganj, Ward
No. 16, P.S- Gamhariya, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

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

ORAL ORDER

2 21-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Madhepura Excise P.S.
case No. 203 of 2024 instituted for the offences under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 9 liters cough
syrup was recovered from the tin made house.

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 and the
contraband. It is further submitted that the recovered contraband



is just above the small quantity and below the commercial quantity. The recovery is made from the tin house which belongs to the joint family of the petitioner. The petitioner is in custody since 03.12.2024 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submits that the total contraband contains 18 gram of codeine which is little over small and below the commercial quantity.

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 on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhepura Excise P.S. case No. 203 of 2024.

(Rudra Prakash Mishra, J)

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