

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86721 of 2025

Arising Out of PS. Case No.-272 Year-2025 Thana- MAHISHI District- Saharsa

Sudhir Kumar S/o- Vishundev Yadav @ Vishnu Dev Yadav Resident of
Village- Lakhni PS- Mahishi District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-12-2025 Heard the parties including the learned APP for the
State Shri Jharkhandi Upadhyay.

2. The petitioner apprehends his arrest in connection with Mahishi P.S. Case No. 272 of 2025 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, the recovery is of 1170 pieces of codeine rich cough syrup containing 100 ml of codeine in each bottle which comes of recovery of 117 liters of codeine from the poultry farm of the petitioner and others places.

4. Considering the huge recovery of narcotic substance, this Court is not inclined to release the petitioner on anticipatory bail.



5. Accordingly, this application is dismissed.

6. The petitioner is directed to surrender within two weeks from today failing which the Superintendent of Police, Saharsa will take all steps for arrest the petitioner and other accused persons.

7. After going through the records of this case, it has come to the notice of this Court that the provisions of NDPS Act should also have been added since the recovery is of codeine cough syrup and therefore, the Superintendent of Police, Saharsa is directed to direct the SHO concerned for adding the provisions of NDPS Act in the present FIR and proceed further in this case accordingly.

8. Let a copy of this order be communicated to the Superintendent of Police, Saharsa through FAX for its compliance.

(Sandeep Kumar, J)

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