

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5312 of 2026**

Arising Out of PS. Case No.-690 Year-2025 Thana- Excise P.S. District- Sitamarhi

Sushil Kumar Son of Late Kailash Sah Resident of Village - Sonbersa Ward  
No. 7, P.S. - Sonbersa, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India(NDPS Act) India

... .. Opposite Party/s

**Appearance :**

|                            |                                 |
|----------------------------|---------------------------------|
| For the Petitioner/s :     | Mr.Kumar Dharendra Pratap Singh |
| For the Opposite Party/s : | Mr.Rana Randhir Singh           |
|                            | Ms. Ranjana Sinha               |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- |   |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| 6 | 07-05-2026 | <ol style="list-style-type: none"><li>1. Heard learned Counsel for the parties concerned.</li><li>2. This application, for grant of anticipatory bail, arises out of Sitamarhi Excise Police Station Case No. 690 of 2025, dated 07.09.2025, disclosing offences punishable under Sections 21(C)/22(C)/25 of the Narcotic Drugs and Psychotropic Substances Act, 1985.</li><li>3. The prosecution case, as per the First Information Report, is that the excise officials signalled a pick up van to stop, but the driver of the pick up van tried to flee away, however he, along with co-driver, was apprehended. On search of the pick up van, a total quantity of 584 litres of Codedyl-T cough syrup (a prohibited cough syrup containing codeine) was recovered. The arrested driver</li></ol> |
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and co-driver of the pick up van stated before the excise officials that the consignment of codeine cough syrup belongs to the petitioner and one Neeraj Kumar.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated by the police for the ulterior motive. He further submits that the pick up van does not belong to him and nothing has been recovered from the premises/vehicle belonging to the petitioner. He further submits that the petitioner has been implicated in this case on the basis of disclosure of his name by the arrested driver and co-driver of the pick up van and except the statement of the arrested co-accused persons, there is nothing on record to connect the petitioner with the alleged occurrence.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation levelled against the petitioner and the fact that the petitioner is having criminal antecedents of similar nature of offence, commercial quantity of codeine has been recovered and the material collected during investigation may be the basis of further investigation against the petitioner, for which the custodial



interrogation may be necessary, I am not inclined to grant  
the petitioner privilege of anticipatory bail.

6. This application is, accordingly, dismissed

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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