

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10506 of 2026**

Arising Out of PS. Case No.-337 Year-2025 Thana- Excise P.S. District- Bhojpur

Md. Irsad @ Md. Irshad S/o Marhum Ajij Alam @ Mahruf Ajij Alam @ Md. Ajig Alam R/o Village- Rani Mau, P.O. - Indauli, P.S.- Patranga, District- Faijabad, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                              |
|--------------------------|---|------------------------------|
| For the Petitioner/s     | : | Mr. P.N. Shahi, Sr. Advocate |
|                          |   | Mr. Vijay Anand, Advocate    |
|                          |   | Mr. Roop Kishan, Advocate    |
| For the Opposite Party/s | : | Mr. Ajay Kumar No. 2, APP    |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      17-02-2026                      Heard Mr. P.N. Shahi, learned Senior counsel for the petitioner and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Excise (Sadar) P.S. Case no. 337 of 2025 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on the truck in question being stopped for search, it transpired that 330 case of codeine cough syrup (Wiscof cough syrup) was found loaded, the total quantity being 4620 litres. The petitioner who happens to be the driver of the vehicle was taken into custody.

4. It is submitted by learned Senior counsel appearing



for the petitioner that the petitioner has been falsely implicated in the case only for the reason that he happens to be the driver of the vehicle of the transport agency Road King Transport. Referring to the contents of the petition and the documents brought on record by way of annexure, it is submitted that 330 case of Wiscof codeine cough syrup consignment was loaded by the company Windlas Biotech Limited, Dehradun, Uttarakhand pursuant to receipt of purchase order dated 13.11.2025 (Annexure-P/2). The Windlas Biotech Limited on receipt of the order sent the goods to Vishnu Medical Agency and generated two GST invoices with the consignees name being Vishnu Medical Agency. Two E-way bills were also generated which has been brought on record as Annexure-P/3 to the petition. Referring to the license of the manufacturer Windlas Biotech Limited, Uttarakhand, it is submitted that an agreement was entered into on 31.5.2025 and that Vishnu Medical Agency, Sasaram happens to be the C & F of Windlas Biotech Limited.

5. It is further submitted that the cough syrup seized was tested by the agency and a copy of the report of the Bihar Drugs Control Laboratory, Government of Bihar contained in Memo no. 4181 dated 31.12.2025 (Annexure-P/9) has been brought on record to show that the contents of the codeine etc found therein conforms



to the prescribed limit. It is further submitted that the petitioner was holding a valid driving license, he is in custody since 23.11.2025 and has no criminal antecedent. Chargesheet has been submitted in the case.

6. The application for bail is opposed by learned APP for the State.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner being in custody since 23.11.2025, chargesheet having been submitted in the case, his not having any criminal antecedent and specially the documents brought on record with respect to the agreement etc of the goods loaded on the truck and referred to herein above, the Court directs the petitioner to be enlarged on bail in connection with Excise (Sadar) P.S. Case no. 337 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-II, Bhojpur at Ara.

**(Partha Sarthy, J)**

saauravkrsinha/-

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