

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15420 of 2026

Arising Out of PS. Case No.-1040 Year-2025 Thana- PIRBAHOR District- Patna

Vinod Kumar S/O Late Narayan Yadav R/O Vill-Dariyapur Gola,Near Of
Radha Krishna Mandir,P.S-Pirbahore,Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 18325 of 2026

Arising Out of PS. Case No.-1040 Year-2025 Thana- PIRBAHOR District- Patna

Rohit Kumar @ Rohit Paswan Son of Shyam Babu Paswan Resident of
Village/ Mohalla- Adaltghat, P.S.- Pirbahore, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 15420 of 2026)

For the Petitioner/s : Mr. Arvind Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Parmanand Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 18325 of 2026)

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Adv.

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 23-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in connection
with Pirbahore P.S. Case No. 1040 of 2025 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
& Excise Act.



3. The case of the prosecution, in short, is that altogether 200 liters of cough syrup containing codeine was recovered from a tempo.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. He also submits that the petitioners, namely Vinod Kumar, was the driver, and Rohit Kumar was sitting in the said tempo. He also submits that Vinod Kumar is the driver and he was not having knowledge regarding the alleged cough syrup being kept in the auto. He further submits that nothing has been recovered from the possession of the petitioners. The witnesses of the seizure list are police personnel, and the police have not complied with Section 105 of the BNSS while making the seizure. He further submits that at most this is a case of contravention of the Drugs and Cosmetics Act. So far as petitioner namely, Rohit Kumar is concerned, it is submitted that he was merely passing by the place of occurrence and has been falsely implicated by the police in the present case. Moreover, a statement has been made in para 3 of the petition that petitioners have no criminal antecedent and they are languishing in judicial custody since 23.12.2025.

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



6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-II, Patna in connection with Pirbahore P.S. Case No. 1040 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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