

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23068 of 2026

Arising Out of PS. Case No.-158 Year-2025 Thana- Excise P.S. District- Supaul

Niraj Kumar S/o Bhola Prasad Yadav R/o Village- Sukhasan, P.S.-
Singheshwar, District- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 218.800 liters of codeine from a Baleno car.

4. Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the fact that he is owner of the seized vehicle, it is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated, it is also submitted that petitioner was completely unaware that his friend Santosh would misuse the vehicle in the manner as



alleged who was also apprehended from the spot along with Md. Moin Alam.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that 218.800 liters of codeine is alleged to have been recovered from a car which owned by the petitioner. It is next submitted that codeine also falls under the NDPS Act but the instant FIR has been instituted under the Excise Act, it is next submitted that the allegations as alleged in the FIR is serious in nature and, as such, the case requires to be investigated and petitioner interrogated. It is next submitted that if petitioner is innocent, the police will submit final form but if petitioner is connected with the offence in that event charge-sheet would be submitted.

6. Considering the submissions made by the learned APP for the State, the Court is not inclined to grant the privilege of provisional anticipatory bail to the petitioner.

(Satyavrat Verma, J)

Gaurav Sinha/-

U		T	
---	--	---	--

