

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

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr. Rajendra Narain, Sr. Advocate
Mr. Vijay Anand, Advocate
Mr. Roop Kishan, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

6 22-07-2026 1. Heard learned Senior counsel for the petitioner, Mr. Rajendra Narain and learned A.P.P. for the State, Mr. Kumar Ranjit Ranjan.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise (Amendment Act) 2018.

3. Learned Senior counsel appearing on behalf of the



petitioner submits that petitioner is a person with clean antecedent. It is next submitted that the case was taken up on 27.04.2026 when a detailed order was recorded and the Excise Commissioner was directed to file a counter affidavit.

4. It is submitted that in compliance of the order dated 27.04.2026, a counter affidavit has been filed by the Excise Commissioner, but then from perusal of the pleadings made in the counter affidavit, it would manifest that none of the annexures annexed in the anticipatory bail application of the petitioner has been denied, but then it is submitted that at Para-9(b) of the counter affidavit, it is recorded that Section 15 of the Bihar Prohibition and Excise Act, 2016 mandated that substitutes for liquor, including codeine-containing cough syrups, sanitizers, spirit, thinner, surgical spirit, and other similar substances, shall be transported within the State of Bihar only in vehicles equipped with GPS-enabled digital locking systems, but then codeine syrup which was seized was not being carried in a vehicle with GPS-enabled digital locking system, as such, the transportation was being made in violation of Section 15 of the Bihar Prohibition and Excise Act, 2016.

5. The learned Senior counsel appearing on behalf of the petitioner further submits that though in the counter affidavit



the said ground has been taken, but in the FIR it is not alleged that in the vehicle there was no GPS-enabled Digital locking system, but then fairly submits that the vehicle which was seized did not have GPS-enabled Digital locking system, but then the same in itself cannot be a ground for instituting a criminal case when the truck driver had all the relevant documents relating to the transportation of codeine from Windlas Biotech Limited, Dehradun, Uttarakhand to M/s Vishnu Medical Agency at Sasaram. It is next submitted that petitioner is a reputed businessman and if in the nature of allegation as alleged, if he is sent to judicial custody, his entire reputation would be at stake. It is also submitted that Windlas Biotech Limited, Dehradun, Uttarakhand and M/s Vishnu Medical Agency at Sasaram have not been made an accused in the instant case.

6. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioner, but then is not in a position to rebut the submission made by the learned Senior counsel appearing on behalf of the petitioner that none of the annexures annexed with the anticipatory bail application has been denied in the counter affidavit and that Windlas Biotech Limited, Dehradun, Uttarakhand and M/s Vishnu Medical



Agency have not been made accused.

7. After hearing the learned counsel for the parties and taking into consideration the order dated 27.04.2026, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Excise (Sadar) P.S. Case No. 337 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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