

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29881 of 2026

Arising Out of PS. Case No.-172 Year-2025 Thana- Balwahat District- Saharsa

Gaurishankar @ Gauri Shankar S/o Jawahar Singh R/o vill- Sonpura, PS-
Balwahat, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-05-2026 1. 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 offences punishable under Sections 30(a) and
41 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 70.2 litres of codeine cough syrup along with
32.625 litres of liquor from the house of Gopal Prasad Singh.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the alleged
recovery is from the house of Gopal Prasad Singh with whom
petitioner has no concern or relation but then petitioner came to
be implicated at the instance of the Chawkidar with whom he is



on an inimical term on which learned A.P.P. submits that from perusal of the allegation as alleged in the FIR, it would manifest that Voter Identify Card, Pan Card and Aadhaar Card of the petitioner was found at the place of occurrence and, thus, the petitioner came to be implicated. Learned A.P.P. further submits that of late codeine has become a menace in the society as young boys of tender age are using codeine cough syrup for the purposes of intoxication. Learned A.P.P. next submits that the case requires to be investigated for which interrogation of the petitioner is necessary.

5. After hearing the learned counsel for the parties and taking into consideration the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Balwahat P.S. Case No. 172 of 2025 pending in the Court of learned Exclusive Special Judge Excise-1, Saharsa/Successor Court.

6. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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