

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29648 of 2026**

Arising Out of PS. Case No.-272 Year-2025 Thana- MAHISHI District- Saharsa

Sudhir Kumar S/o Vishundev Yadav @ Bishundev Yadav Resident of village-  
Lakhni, PS- Mahishi, District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      04-05-2026              1.    Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2.    The petitioner seeks bail in connection with  
Mahishi PS Case No. 272 of 2025 registered for the offences  
punishable under Sections 30(a) and 41 of the Bihar Excise Act.

3.    Learned counsel for the petitioner submits that the  
petitioner is a person with clean antecedent and allegation is of  
recovery of 80 litres of codeine cough syrup from poultry farm  
of the petitioner, 16 litres of codeine cough syrup from a  
motorcycle and 21 litres of codeine cough syrup from a Maruti  
Swift Dzire Car.

4.    Learned counsel for the petitioner submits that the  
petitioner was not arrested from the spot as such nothing was  
recovered from his conscious possession and is not the owner of



any of the seized vehicles and he came to be implicated based on secret information which is the easiest way to implicate someone without holding a proper investigation. It is next submitted that no prudent person would use his business premises for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is further submitted that petitioner is in custody since 25-2-2026.

5. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that of late codeine has become a menace as children of young age are using it for the purposes of intoxication. It is next submitted that codeine is alleged to have been recovered from the poultry farm of the petitioner and the place of occurrence is not denied.

6. After hearing the learned counsel for the parties, the Court is not inclined to release the petitioner on bail.

7. Accordingly, the prayer for bail of the petitioner is rejected.

8. However, petitioner would be at liberty to renew his prayer for bail after framing of charge.

**(Satyavrat Verma, J)**

Sumit/-

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