

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38360 of 2026**

Arising Out of PS. Case No.-654 Year-2022 Thana- ARARIA District- Araria

Shah Ayub @ Aiyub Sah @ Aiyyub @ Shah Aiyub S/o- Shah Azim @ Rasul  
R/v- Gaiyari, ward no. 13, Belwa, P.S- Dist-. Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      30-06-2026      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short is that from the house of the petitioner, altogether 157.90 liters of cough syrup containing codeine was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of this petitioner. He has no concern with the alleged recovery. It has further been submitted that from perusal of the



F.I.R. itself it is not clear as to which cough syrup was recovered from the possession of this petitioner or from his house. How the informant has come to the conclusion that the syrup contained codeine. It has further been submitted that in any view of the matter, it is a case of Drugs and Cosmetics Act. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 25.03.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Araria P.S. Case No. 654 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-I, Araria (Bihar).

**(Ashok Kumar Pandey, J)**

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