

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43462 of 2026

Arising Out of PS. Case No.-387 Year-2025 Thana- JOKIHAT District- Araria

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Sawood @ sawood Alam Son of Md. Moin Uddin @ Md. Moin Resident Of
Village- Bhagwanpur, Ward No 3, Police Station- Jokihat, (Bairgachhi)m
District -Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR

and apprehending his arrest in connection with Jokihat P.S.

Case No.387 of 2025 registered under Section 30(a) of

Bihar Prohibition and Excise Act, 2022 (Amended).

3. Allegation against the petitioner is to engage in

illegal trade/manufacturing of cough syrup, where there is

recovery of 14 litres of Eskuf and Choco cough syrup.

4. It is submitted by learned counsel appearing for

the petitioner that the alleged recovery of Eskuf and Choco

Cough Syrup with a cash of Rs. 45,400/- was made from



the house of co-accused, namely, Galib. It is initially submitted that the present case was instituted under the provisions of Excise Act and not under the NDPS Act. It is further submitted that the name of petitioner arrayed solely on the confessional statement made by co-accused, namely, galib. It is further pointed out that nothing incriminating material has been recovered from the conscious possession of this petitioner and also the petitioner was not present at the spot. Explaining criminal antecedent, it is submitted that the petitioner found involved in one criminal case, where he is on bail.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit cough syrup *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-cum-Exclusive Special Excise Judge- II, Araria, in connection with Jokihat P.S. Case No.387 of 2025, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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