

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42792 of 2026

Arising Out of PS. Case No.-505 Year-2026 Thana- KATIHAR NAGAR District- Katihar

Aman Kumar Son of Hemant Kumar @ Heman Kumar Himanshu Resident of Village- Radhe Mahadev (Radhe Madhe), P.S.- Amdabad, District- Katihar, presently resided at Mohalla Barmasiya, P.S.- Sahayak, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-07-2026 Heard Mr.Bimal Kumar, learned counsel for the petitioner and Mr.Sanjay Kumar Pandey, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 05.05.2026 in connection with Katihar Town P.S. Case No. 505/2026, F.I.R. dated 04.05.2026 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Recovery is of 3149 bottles of Codeine cough syrup each of 100 ml.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. From a bare



perusal of the FIR it appears that nothing has been recovered from conscious possession or the house of the petitioner and altogether 3149 bottles of Codeine cough syrup each of 100 ml. was recovered from the place of occurrence. The name of the petitioner has been transpired during investigation on the basis of the disclosure made by the apprehended co-accused person, namely, Rajeev Ranjan Kishor and said co-accused person, namely, Rajeev Ranjan Kishor disclosed that and he has brought the said cough syrup from Gujrat through currier company. Learned counsel for the petitioner submits that except the disclosure made by the apprehended co-accused person, nothing has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and there is non-compliance of the mandatory provisions of Sections 103/105 of BNSS, 2023 and the seizure list witnesses are police personnel and the petitioner is in custody since 05.05.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent and except the disclosure made by the apprehended co-accused person, nothing has come during



investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence, let the petitioner, above named, be released on bail 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 Excise Court No.II, Katihar in connection with Katihar Town P.S. Case No. 505/2026, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned



order shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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