

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52600 of 2026

Arising Out of PS. Case No.-36 Year-2026 Thana- Baijnathpur District- Saharsa

Raj Kumar @ Baliya son of Late Bechan yadav Resident of village- Rampur,
ward no 3, PS -Baijnathpur, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-07-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State Mr. Chandra Bhushan Prasad.

2. The petitioner apprehends his arrest in connection
with Baijnathpur P.s. Case No.36 of 2026, registered for the
offence punishable under Sections 30(a), 41 of Bihar Prohibition
and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 8.4 litres of codeine cough syrup from a motorcycle.

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 is not the owner of
the seized vehicle and he came to be implicated based on
confessional statement of Guddu and Mithilesh in police



custody which does not have any evidentiary value.

5. Learned A.P.P. for the State Mr. Chandra Bhushan Prasad vehemently opposes the prayer for anticipatory bail of the petitioner and submits that allegation is of recovery of codeine cough syrup. It is further submitted that of late in the State of Bihar children of impressionable age are using codeine for the purposes of intoxication and syrup has created havoc and investigation in the case is continuing.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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