

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51455 of 2026

Arising Out of PS. Case No.-490 Year-2026 Thana- MADHEPURA District- Madhepura

Rajesh Kumar S/O Shiban Yadav R/o Village-Dayalpur , Ward No-2, P.S-
Gamahariya, Distt- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-07-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Madhepura P.S. Case No. 490 of 2026, registered for the
offences punishable under Section 30(a) of the Bihar Excise
Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases under the Excise Act and
allegation is of recovery of 12 litres of cough syrup from a
bamboo orchard behind the house of Khattar Thakur and a
motorcycle was seized.

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



the seized vehicle and he came to be implicated at the instance of local people, but then the name of the person, who disclosed the name of the petitioner, is not disclosed in the FIR, which casts an aspersion on the case of the prosecution, when petitioner has not been implicated based on secret information.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that allegation is of recovery of codeine cough syrup. It is next submitted that of late in the State of Bihar, codeine is being misused by young children for intoxication. It is also submitted that if supply of codeine is not constrained by the police perhaps a time would come when an entire generation of young children would get destroyed.

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

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

(Satyavrat Verma, J)

Sumit/-

U		T	
---	--	---	--

