

**IN THE HIGH COURT OF JHARKHAND, RANCHI**  
**A.B.A. No. 5072 of 2025**

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Vinay Kumar Sharma @ Binay Kumar Sharma, aged about 40  
years, son of Nageshwar Prasad, Dudhani, PO and PS – Dumka  
Town, District - Dumka **.... Petitioner**

-- Versus --

The State of Jharkhand **.... Opposite Party**

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**CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI**

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For the Petitioner :- Mr. Ankit Kumar, Advocate

For the State :- Mr. Bhola Nath Ojha, Advocate

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**03/14.10.2025** Heard learned counsel appearing for the petitioner as well  
as the learned counsel appearing for the State.

**2.** The petitioner is apprehending his arrest in connection with  
Dumka (Town) P.S. Case No.50 of 2025 for the alleged offences  
registered under Sections 21(c) and 8(c) of N.D.P.S. Act, pending in  
the Court of learned Chief Judicial Magistrate, Dumka.

**3.** Learned counsel appearing for the petitioner submits that  
the petitioner is absolutely innocent and has committed no offence  
as alleged in the First Information Report. He further submits that  
the petitioner was not arrested at the spot nor anything  
incriminating has been recovered from the possession of the  
petitioner. He then submits that the petitioner is running the  
medical shop pursuant to the license in the district of Dumka and  
the registration is valid till 30<sup>th</sup> August, 2025.

**4.** Learned counsel appearing for the State opposes the prayer

and submits that commercial quantity contrabands in the form of Onerex Cough Syrup having codeine as its composition and weighing 1.3 kgs (13 x 100 ml = 1300 ml) and Alpraskan 0.5 mg 375 tablets, having alprazolam as its composition and in metrics 187.5 mg (375 x 0.5 mg = 187.5 mg) was recovered and seized from the petitioner's place and later on demand of bills and invoices no accountable documents or materials were produced by the lady namely Jyoti Sharma, who was present at the spot during raid and during the entire course of raid the petitioner, who happened to be the proprietor of the said shop was found absconding from the place of occurrence. He further submits that even the notice under Section 35(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 has been issued and the petitioner has not cooperated and in view of that anticipatory bail of the petitioner may kindly be rejected.

**5.** In view of above and considering that Onerex Cough Syrup in commercial quantity without any document was kept in the medical shop of the petitioner, who happened to be the proprietor and even the documents have not been produced, I am not inclined to grant anticipatory bail to the petitioner, hence, the prayer for anticipatory bail of the petitioner is hereby rejected.

**(Sanjay Kumar Dwivedi, J.)**

*Dated 14.10.2025  
Sangam/*