

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41037 of 2023

Arising Out of PS. Case No.-123 Year-2023 Thana- SIMRI District- Buxar

1. Ranjan Paswan S/O Sadhu Paswan R/O Village- Balihar, P.S- Simari, Distt.- Buxar.
2. M.D. Jamil Ansari S/O Rehanudin Ansari R/O Village- Balihar, P.S- Simari, Distt.- Buxar.
3. M. D. Vkil Ansari S/O M.D. Salim Ansari R/O Village- Balihar, P.S- Simari, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 14-07-2023 Heard the learned counsel for the petitioners and learned APP for the State.

This application has been filed for grant of regular bail in connection with Simari P.S. Case No. 123 of 2023 registered for the offence under Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

As per the prosecution case, there is alleged recovery of 67.32 litres of foreign liquor from the Tata Indica vehicle in question and petitioners were arrested when they were trying to flee away from the spot.

Learned counsel for the petitioners submits that petitioners were passengers of the said vehicle and they have no knowledge of the said seized illegal liquor. There was no



recovery from the possession of the petitioners and the recovery was from the Tata Indica vehicle and the same has no concern with the petitioners. There is no criminal antecedent against the petitioner no. 1 and there is one criminal antecedent against the petitioner nos. 2 and 3 in which they are on bail. The petitioners are in jail custody since 23.04.2023. Charge-sheet has already been submitted and there is no chance of absconding of the petitioners or tampering with the evidence.

Learned APP for the State has opposed the prayer for regular bail of the petitioners.

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.- 2, Buxar in connection with Simari P.S. Case No. 123 of 2023.

(Sunil Dutta Mishra, J)

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