

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82293 of 2024

Arising Out of PS. Case No.-131 Year-2023 Thana- SIMRI District- Buxar

Ajay Paswan @ Ajay Kumar Paswan S/o Ramita Paswan @ Ramayan
Dusadh R/o vill - 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, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Simari P.S. Case No. 131 of 2023 registered for the offences
punishable under Sections 30 (a), 30 (d) of the Bihar Prohibition
and Excise (Amendment) Act, 2018.

3. Altogether 20 litres of country made liquor as well as
other articles used in manufacturing of illicit liquor has been
recovered from an open field situated in front of house of co-
accused Ghutur Paswan. After seeing the police, petitioner
along with other co-accused is said to have fled away from the
spot.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.



No incriminating article has been recovered from the conscious physical possession of the petitioner or from his house. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He was not apprehended on the spot. He has been made accused in the present case merely on the basis of identification made by local *Chowkidar*. Learned counsel further submits that petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as from bare perusal of the FIR, it is evident that petitioner is a member of the syndicate involved in manufacturing of illicit liquor, I am not inclined to enlarge him on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

(Anjani Kumar Sharan, J)

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