

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2715 of 2024

Arising Out of PS. Case No.-395 Year-2023 Thana- SIMRI District- Buxar

1.

Ranjan Paswan S/O Sadhu Paswan R/o Vill- Balihar, P.S. - Simari , Dist- Buxar
2.

Akshay Kumar Paswan S/O Gutur Paswan R/o Vill- Balihar, P.S. - Simari , Dist- Buxar
3.

Sahnawaj Ansari S/O - Nazir Ansari R/o Vill- Balihar, P.S. - Simari , Dist- 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. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with Simari P.S. Case No. 395 of 2023 dated 15.11.2023, lodged under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, the F.I.R. has been lodged against four named accused persons including the petitioners and the total recovery of 25 litre *desi* wine has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the name of the petitioners have figured in this case

due to conspiracy. He further submits that from the seizure list, it transpires that the said recovery has been made from a polythene, which is near a Model School *i.e.* a public place.

5. Learned counsel for the petitioners further submits that the petitioners are in custody since 16.11.2023 and there is one criminal antecedent of petitioner no. 1 and petitioner nos. 2 and 3 have no criminal antecedents.

6. Learned A.P.P. for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. 2, Buxar in connection with Simari P.S. Case No. 395 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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