

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19403 of 2020**

Arising Out of PS. Case No.-32 Year-2020 Thana- GURUA District- Gaya

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1. Ravi Kumar Son of Dhananjay Kumar Resident of Village - Atrauli, P.S.-  
Obra, Distt - Aurangabad.
  2. Gautam Kumar Son of Punydev Yadav Resident of Village - Tarari, P.S.-  
Konch, Distt - Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Anil Kumar Saxena, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      08-06-2020                      Heard learned counsel for the petitioners and  
Additional Public Prosecutor for the State.

The petitioners seek bail in **Gurua P.S. Case No. 32 of 2020**, registered for the offence punishable under Section 279 and 427 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2018.

200 litres of country made liquor is alleged to have been recovered from a damaged overturned car from which petitioners were trying to flee away, but both were arrested.

It is submitted by learned counsel appearing on behalf of petitioners that petitioners have falsely been implicated in this case. Nothing has been recovered from conscious



possession of these petitioners. The provision of section 100 Cr.P.C has not been followed. There is no allegation of tampering with the evidence against these petitioners. Petitioners claim clean antecedent. Petitioners are in custody since 17.02.2020.

Considering the facts aforesaid, the petitioners above-named, are directed to be enlarged 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 **Special Judge Excise, Gaya** in connection with **Gurua P.S. Case No. 32 of 2020**, subject to the conditions:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

**(Prabhat Kumar Singh, J)**

vinita/-

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