

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28403 of 2020**

Arising Out of PS. Case No.-7 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Araria

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1. GAURAV KUMAR Son of Vivekanand Kuwar Resident of Village- Ward No. 8, Bharson, P.S.- Parvatta, District- Khagaria.
 2. Anand Kumar Son of Pappu Keshri Resident of Village- Ward No. 9 English tola, P.S.- Maheshkhunt, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.A.G.

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

2 10-11-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioners and learned
A.P.P for the State.

The petitioners seek bail in Araria Circle Excise Case
No. 07 of 2020 corresponding to Special Case No. 226 of 2020,
registered for the offence punishable punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2018.

144.21 litres of foreign liquor and 12 litres of Beer are
said to have been recovered from Tata Zest Car from which
these petitioners were apprehended.

It is submitted that petitioners have falsely been



implicated in this case. Nothing has been recovered from conscious possession of these petitioners. Petitioners are in custody since 27.02.2020, having clean antecedent as stated in para 3 of the bail petition.

Considering the facts and circumstances of the case, 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 Additional Sessions Judge 2nd-cum-Special Judge, Excise, Araria in connection with Araria Circle Excise Case No. 07 of 2020 corresponding to Special Case No. 226 of 2020, subject to following 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)

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