

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2863 of 2021**

Arising Out of PS. Case No.-370 Year-2020 Thana- ATRI District- Gaya

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1. RAJ KUMAR SON OF DULAR YADAV R/O VILLAGE- NARAWAT, P.S.- ATRI, DISTRICT- GAYA.
  2. JAY KARAN KUMAR SON OF SHAMBHU YADAV R/O VILLAGE- NARAWAT, P.S.- ATRI, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.A.G

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

2      10-03-2021                      Heard learned counsel for the petitioners and learned  
A.P.P for the State.

The petitioners seek bail in Atri P.S. Case No. 370 of 2020, registered for the offence punishable punishable under Section 30(a)(d) of the Bihar Prohibition and Excise Act, 2018.

130 litres of country made liquor and manufacturing items were recovered from Banda Aahar forest and the petitioners were apprehended on the spot.

It is submitted that nothing has been recovered from conscious possession of the petitioners. Recovery has been made from a forest and petitioners have got no concern with the seized liquor and manufacturing items. Petitioners are in custody since 10.10.2020 having no criminal antecedent.



Chargesheet has already been submitted.

Considering the facts and circumstances of the case and the fact that recovery has been made from open place and petitioners have got clean antecedent, 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 Atri P.S. Case No. 370 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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