

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5165 of 2021**

Arising Out of PS. Case No.-645 Year-2020 Thana- BARACHATTI District- Gaya

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1. ARYA SINGH @ MANISH BHARTI @ ARYA KUMAR SON OF UDAY SINGH resident of village - Hadsa, P.S.- Hisua, Distt- Nawada
  2. RISHI KUMAR Son of Pawan singh RESIDENT OF VILLAGE RIMULA P.S- ATARI, DISTT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rajesh Ranjan Kumar  
For the Opposite Party/s : Mr. Nityanand, A.P.P.

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

2      12-04-2021                      Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through video conferencing.

The petitioners seek bail in Barachatti (Mohanpur) P.S. Case No. 645 of 2020 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act and Section 414/34 of the IPC.

As per the prosecution case, 330 litres of illegal wine has been recovered from Sumo Victa vehicle and petitioners were arrested on the spot.

It is submitted on behalf of the petitioners that nothing has been recovered from the possession of the petitioners. Petitioners are neither the driver nor the owner of the vehicle in



question and are in custody since 18.10.2020.

Considering the period of custody, the bail petition of the petitioners is allowed. Let the petitioners above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Special Judge, Excise, Gaya, in connection with Barachatti (Mohanpur) P.S. Case No. 645 of 2020, subject to following conditions:-

(1) 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 on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

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

**(Prabhat Kumar Singh, J)**

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