

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36290 of 2019**

Arising Out of PS. Case No.-96 Year-2019 Thana- BELAGANJ District- Gaya
=====

KAIL SAW @ RABINDRA SAW, aged 45 years, male, Son of late Phulchand
Saw Resident of Village - Bhalua, P.S.- Belaganj, Distt - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Sinha, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 14.05.2019 in connection with Belaganj P.S. Case No. 96 of 2019 for the offences alleged under Sections 30(a), 34/36 of Bihar Prohibition Act and Excise Act 2016 and Section 2(e)/3/5(b)/18/42 of Mahua Flower Act.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 100 Kg. Mahua flower. There is no independent witness to the seizure list which creates considerable doubt about the veracity of the prosecution story. The petitioner claims clean antecedents.

4. Be that as it may, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten



thousand) with two sureties of like amount each to the satisfaction of learned Special Judge excise Act, Gaya, in connection with Belaganj P.S. Case No. 96 of 2019, on the following conditions-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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