

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 82755 of 2019

Arising Out of PS Case No.-302 Year-2019 Thana- KHIJARSARAI District- Gaya

Naresh Saw, Aged about 43 Years, Male Son of Rajendra Saw, Resident of Village - Aima Chouki, P.S. - Khijar Sarai, District – Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kumar Sinha, Advocate
For the State : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 07-01-2020

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Khijar Sarai PS Case No. 302 of 2019 dated 17.10.2019 instituted under Sections 30(d) and 32(2) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is that from his motorcycle 40 kg. of Mahua flower has been recovered and the petitioner is said to have fled away from the spot.

4. Learned counsel for the petitioner submitted that there is no recovery from his conscious possession and that he was



not caught at the spot. It was further submitted that the petitioner has no other criminal antecedent is in custody since 11.11.2019.

5. Learned APP submitted that the petitioner had run away leaving behind the motorcycle upon the police trying to intercept him and loaded on his motorcycle 40 kg. of Mahua flower has been seized.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Gaya in Khijar Sarai P.S. Case No. 302 of 2019.

7. One of the bailors shall be a close relative of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.



8. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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