

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27555 of 2015

Arising Out of PS.Case No. -36 Year- 2015 Thana -UDAKISHANGANJ District- MADHEPURA

1. Ravi Kumar ,Proprietor of M/s Gauri Fertilizer Store Bengha Saharsa son of Sri Birbal Prasad Gupta resident of Village Bengha ward No. 4, P.S & District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 28-07-2015 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 7 of the E.C. Act registered in connection with Udakishanganj P.S. Case No. 36 of 2015.

3. It is submitted that the petitioner has been falsely implicated as it is evident from the fact that he has not been named in the FIR. It is submitted that the challans of his firm Gauri Fertilizer Store have been fabricated by one Ranjit Kumar @ Ranjit Bhagat and the goods shown to have been sold to Bajrang Fertilizer, whereas the goods have in fact been sold to Saroj Khad Bheej Bhandar by the petitioner.

4. Having regard to the entirety of the facts and

circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner 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 S.D.J.M., Udakishanganj, District Madhepura in connection with Udakishanganj P.S. Case No. 36 of 2015 subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) The petitioner shall cooperate with the investigation 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.

(ii) The petitioner shall remain physically present as and when required during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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