

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2633 of 2015

Arising Out of PS.Case No. -145 Year- 2014 Thana -RAMGARH District- BHABHUA (KAIMUR)

Ravi Chaurasia son of Sri Hari Chandra Chaurasia Resident of Jalilpur,
Padao, P.S. - Mugalsarai, District - Chandauli (Uttar Pradesh).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s : Mr. Mustaque Alam(APP)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 21-05-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Section 7 of the Essential Commodities Act and the fact that the petitioner was never found with the consignment of 65 bags of sulphur and zinc fertilizer, this Court, taking into account that he has also got no criminal antecedent and is merely the owner of the pickup van on which 65 bags of fertilizer were found, would deem it expedient in the end of justice to direct that if the petitioner, namely, Ravi Chaurasia, surrenders within a period of four weeks from today, he will be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Ramgarh P.S. Case No.

145 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to following conditions:-

- (i) That both the bailors will be a close relative of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.
- (iv) That the petitioner will be well represented on each and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

Rishi/-

(Mihir Kumar Jha, J)

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