

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27564 of 2015

Arising Out of PS. Case No. -54 Year- 2015 Thana -RAJAPAKAR District- VAISHALI
(HAJIPUR)

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Sunil Kumar Sinha, Son of Sri Gunjishwari Nandan, resident of Village -
Bakarpur, P.S. - Rajapakar, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rohit Kumar, Advocate

For the State : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 14-10-2015 As prayed, learned counsel for the petitioner is permitted

to make necessary corrections in the prayer portion of this

application in course of the day.

2. Heard the learned counsel for the petitioner and

learned APP.

3. The petitioner apprehends his arrest for the alleged

offence under Section 7 of the Essential Commodities Act

registered in connection with Rajapakar P.S. case No. 54 of 2015.

4. It is submitted that the petitioner being ex-Chairman

of the Primary Agricultural Cooperative Society (PACS) has been

falsely implicated owing to political rivalry. It is also submitted

that on 20.03.2015 itself a new Chairman of the PACS was elected

and as such the petitioner has no concern with the bags of rice

found on the truck on 21.04.2015. It is further submitted that the

petitioner has been implicated merely on the supposed statement of the driver of the vehicle as reported by the villagers, but the driver has not been apprehended at the time of seizure.

5. Having regard to the entirety of the facts and circumstances of the case, the provisional bail granted to the petitioner by order dated 24.07.2015 pending in the Court of learned Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 54 of 2015 shall stand hereby confirmed, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure 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 on each and every date 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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