

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.24184 of 2016**

Arising Out of PS.Case No. -183 Year- 2016 Thana -JAHANABAD District- JEHANABAD

- =====
1. Upendra Kumar son of Sakal Yadav resident of Village Lodipur P.S.-  
Kako & District- Jehanabad.
  2. Shantibhushan Prasad Son of Rambachan Prasad resident of Village  
Barki Akauna PS Ghoshi District Jehanabad.
  3. Rajiv Ranjan Kumar @ Rajiv Ranjan son of Krishna Prasad Bibipur PS  
Masaurhi District Patna.
  4. Nathun Singh Son of Late Ganga Singh resident of Village Jamuk PS &  
District Jehanabad.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Diwakar Prasad Singh &  
Mr. Jayant Kumar Sharma

For the Opposite Party/s : Mr. Md.Nazir Ansari(App)

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD  
VERMA**  
ORAL ORDER

2      01-06-2016

Heard the parties.

The petitioners seek bail in a criminal prosecution  
registered under Section 7 of the Essential Commodities Act.

Learned counsel for the petitioners submits that  
the petitioners are in judicial custody since 09.04.2016 and they  
are the first offenders. According to him the only allegation  
against them are that they were using L.P.G. for running their auto  
rickshaw.

Taking into consideration the nature of allegation  
against the petitioners as also the period of incarceration already  
undergone by them and also taking into consideration the fact that  
they are the first offenders, this Court is inclined to accede to the  
prayer made on behalf of the petitioners for grant of bail.

Let the above named petitioners be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case No. 183 of 2016 subject to the conditions that :

(A) one of the bailors must be a government servant or close family members of the petitioners who will file an affidavit in the court below showing his/her relationship with the petitioners,

(B) if the petitioners are found involved in same and similar nature of cases in future, then in that case, the informant/prosecution shall be at liberty to file a petition for cancellation of bail bond of the petitioners, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving an opportunity of hearing to all concerned, and

(C ) the petitioners shall make regular pairvi in the court below in the present case either by appearing themselves in person or through representation by their lawyer on each and every dates, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioners.

Amin/-

**(Birendra Prasad Verma, J)**

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