

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6116 of 2016

Arising Out of PS.Case No. -206 Year- 2015 Thana -JAGDISHPUR District- BHAGALPUR

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Dhananjay Sah S/o Damodar Sah, resident of village- Tagepur, P.S.- Jagdishpur, District- Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Babita Kumari, Advocate

For the Opposite Party/s : Mr. U.L.Verma(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 06-04-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences punishable under sections 272, 273, 238 of the Indian Penal Code and Section 16(1-A) II of Prevention of Food Adulteration Act,1954.

Allegedly, about 100 children started vomiting after eating Chat and Fuchka, which was sold by the petitioner to them.

Submission is of false implication and that the petitioner was selling Chat and Fuchka since long, as a matter of fact, the children started vomiting after taking the Prasad of Chhat Puja but the petitioner has been made victim of the circumstances resulting he is suffering in custody since 20.11.2015.

Learned A.P.P. opposes the prayer of bail by submitting that the witnesses have supported the allegation.

In the facts and circumstances stated above, considering the detention of the petitioner and further that the charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur P.S. Case No.206 of 2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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