

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54536 of 2016

Arising Out of PS.Case No. -428 Year- 2016 Thana -PURNEA SADAR District- PURNIA

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Raju Roy @ Raju Rai, Son of Siyaram Roy, resident of Village Hansda,
P.S. Sadar, District- Purnia.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP-42

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 23-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sadar P.S.
Case No. 428 of 2016 registered for the offences punishable under
Sections 420 of the Indian Penal Code and Section 7 of the
Essential Commodities Act.

Allegedly, the Informant, being a Block Agriculture
Officer, caught the Tempo with driver and three other persons
including petitioner loaded with quality-less fertilizers and the
petitioner stated that they use to prepare fertilizer and use to sell
with farmers.

Submission is of false implication and that the copy of
the seizure list was not given to any one, it is not believable that
one person will caught hold four persons and will detain them till



arrival of the police officer, the prosecution case appears not believable and reliable. The petitioner has been made victim of circumstances and, as such, the petitioner deserves sympathetic consideration as he is suffering in judicial custody since 5.11.2016.

Learned APP opposes the prayer for bail.

In the facts and circumstances stated above, 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 the learned Sub-Divisional Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 428 of 2016, subject to the conditions that one of the bailors must be a 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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