

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33577 of 2016

Arising Out of PS.Case No. -79 Year- 2016 Thana -BARUN District- AURANGABAD

=====

Md. Taiyab son of Late Fida Hussain, Resident of Village - Sheikh Bigha,
Police Station - Barun, District - Aurangabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Bhanu Pratap Singh, Adv.

For the Opposite Party : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 30-08-2016 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 7 of the Essential Commodities Act registered in connection with Barun P.S. Case No. 79 of 2016.

3. It is submitted that the petitioner has been falsely implicated and there is no material to connect the petitioner with the offence alleged. The seizure list does not contain the signature of the driver nor the bags of rice and wheat were of FCI and as such the petitioner being a PDS dealer has no concern with the same. The petitioner's shop was also not sealed by the authorities. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or

surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 79 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) 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.

(iii) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/Chandran

U		T	
---	--	---	--