

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35120 of 2016

Arising Out of PS.Case No. -233 Year- 2015 Thana -RAJNAGAR District- MADHUBANI

Sanjay Kumar Sah S/o Ganjay Sah Resident of Village- Satgarha, P.S,
Rajnagar, District Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance:

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate
Mr. D.N.Tiwari, Advocate

For the Opposite Party : Mr. J.K.Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 07-09-2016 Heard learned senior 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 E.C. Act registered in connection
with Rajnagar P.S. Case No. 233 of 2015, G.R. No. 3020 of 2015.

3. It is submitted that the petitioner has been falsely
implicated only because he happens to be the owner of the pickup
van from which the 61 bags of wheat on which 'Government of
India' was printed were recovered. The co-accused PDS dealer
from whose shop the goods said to have been loaded in the pickup
van has been granted anticipatory bail by this Court in Cr. Misc.
No. 11206 of 2016.

4. Having regard to the entirety of the facts and

circumstances, 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 Judicial Magistrate Ist Class, Madhubani, in connection with Rajnagar P.S. Case No. 233 of 2015, G.R. No. 3020 of 2015, 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) That 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) That 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)

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