

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23998 of 2016

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

1. Uma Shankar Gupta S/o Nawal Prasad, resident of village- Nerthua,
P.O.- Pinjora, P.S.- Kako, District- Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.
Mrs. Meena Singh

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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

2 31-05-2016

Heard the parties.

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

Learned Senior counsel appearing on behalf of
the petitioner submits that the petitioner is in judicial custody
since 09.04.2016. According to him the only allegation against
the petitioner is that he was using L.P.G. for running his auto
rickshaw.

Taking into consideration the nature of allegation
against the petitioner as also the period of incarceration already
undergone by him, this Court is inclined to accede to the prayer
made on behalf of the petitioner for grant of bail.

Let the above named petitioner be released on bail
on furnishing bail bond of Rs.25,000/- (Rupees twenty five
thousand) 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 petitioner who will file an affidavit in the court below showing his/her relationship with the petitioner,

(B) if the petitioner is 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 of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned, and

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

(Birendra Prasad Verma, J)

Amin/-

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