

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24936 of 2017

Arising Out of PS.Case No. -785 Year- 2016 Thana -ARARIA District- ARARIA

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Md. Sulfan @ Sulfan, son of Md. Ali, resident of Zeromile Gulab Bagh
Ward No. 36, Police Station Purnea Sadar, District- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Advocate.s

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 01-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 07.12.2016 in connection with Araria P.S. Case No. 785 of 2016 for the alleged offences under Sections 414/34 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

3. It is submitted that the petitioner has been falsely implicated as he is merely a driver of the vehicle for hire on which 339 bags of Arba rice had been loaded by one Vikash Kumar @ Vicky from the godown of Jahangir. It is further submitted that in any event rice is not a controlled commodity and as such the provisions of the Essential Commodities Act are not applicable.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named 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 Sub-Divisional Judicial Magistrate, Araria in connection with Araria P.S. Case No. 785 of 2016 on the following conditions :-

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



petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, 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.

(iv) 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)

Md. Ibrarul/BT

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