

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16714 of 2017

Arising Out of PS.Case No. -178 Year- 2016 Thana -GURUA District- GAYA

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1. Rajdeo Chaudhary, son of Sri Babulal Chaudhary, resident of Village-
Pendapur, P.O.- Nagwagarh, P.S.- Gurua, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-04-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with
Gurua P.S.Case No.178 of 2016 registered for offences punishable
under Section 7 of the Essential Commodities Act.

As per the F.I.R., the allegation against this petitioner is
that he is not supplying the articles in proper quantity or in proper
way rather he is charging more rate but giving less quantity.

It has been submitted on behalf of the petitioner that from
the enquiry report, which is part of the F.I.R. itself, it appears that
all the witnesses have not supported the prosecution case rather
some of the witnesses have only supported and further submission
is that earlier also there was no such type of complaints against
him, which can be verified from the register kept in the PDS Shop
and he has been falsely implicated in this case due to the village
politics and also due to the fact that some other persons are trying



to remove him to get the PDS licence.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of J.M. 1st class, Sherghati (Gaya) in connection with Gurua P.S.Case No.178 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the trial of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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