

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6552 of 2017

Arising Out of PS.Case No. -3 Year- 2017 Thana -THAKURGANJ District- KISANGANJ

- =====
1. Sugandh Kumar, son of Ram Pravesh Prasad, resident of Moh. Mallahapati, P.S. Thakurganj, District Kishanganj.
 2. Md. Asfaque Alam, alias, Md. Sahfaque Alam, son of Md. Saukat Ali, resident of village Baghmara, P.S. Thakurganj, District. Kishanganj.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioners : Mr. Mukesh Kumar Jha, Advocate

For the State : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 10-02-2017 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 15.01.2017 in connection with Thakurganj P.S. Case No. 3 of 2017 for the alleged offences under Section 7 of the E.C. Act.

3. It is submitted that the petitioners have been falsely implicated and in any event the offence under the E.C. Act is not attracted, inasmuch as the petitioners are not licensed dealers. The petitioners claim clean antecedents and have already suffered custody of about a month.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioners above named be released on bail on furnishing bail bonds of Rs.10,000/-(ten



thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Kishanganj in connection with Thakurganj P.S. Case No. 3 of 2017 on the following conditions -

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

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

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves 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 petitioners 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/BT

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