

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8975 of 2017

Arising Out of PS. Case No. -10 Year- 2017 Thana -HASPURA District- AURANGABAD

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Yogesh Prasad Gupta @ Yugesh Prasad Gupta, son of Laxmi Sao,
Resident of village Ahiyapur Police Station Haspura, District
Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate
Mr. Pramod Kumar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-03-2017 Heard learned 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 Essential Commodities Act
registered in connection with Haspura P.S. Case No. 10 of 2017.

3. It is submitted that the petitioner has been falsely
implicated which is evident from the report prepared by the Block
Supply Officer dated 25.02.2017 (Annexure-2) to the
supplementary affidavit, after seal of the godown was opened,
according to which the stock of food grains was tallied with the
distribution register and no irregularity was found.

4. Having regard to the entirety of the facts and
circumstances of the case, 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 bonds of Rs.10,000/- (ten
thousand) with two sureties of like amount each to the satisfaction
of learned Chief Judicial Magistrate, Aurangabad in connection with



Haspura P.S. Case No. 10 of 2017, 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 not indulge in any similar offence till conclusion of the trial.

(iii) 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)

B.T/psc

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