

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25357 of 2018

Arising Out of PS.Case No. -272 Year- 2017 Thana -TRIVENIGANJ District- SUPAUL

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Shambhu Mandal, Son of Siyo Mandal, resident of Village- Arariya, P.S.-
Tribeniganj, District- Supaul

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Naresh Kumar Mehta, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 14-05-2018 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is in custody since 23.03.2018 in connection with Tribeniganj P.S. Case No. 272 of 2017 for the offences alleged under Section 7 of the Essential Commodities Act.

3. It is submitted that the petitioner has been falsely implicated mainly on the basis of confessional statement of co-accused Binod Yadav @ Binod Kumar Yadav, who has been granted anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No. 56697 of 2017. The co-accused Bhola Yadav from whose PACS, rice was said to have been bought as stated in the aforesaid confessional statement, has also been granted bail by this Court in Cr. Misc. No. 52376 of 2017 vide order dated 10.11.2017. The petitioner claims clean antecedents.

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, Supaul in connection with Tribeniganj P.S. Case No. 272 of 2017, 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 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.

(iv) 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.

(Vikash Jain, J)

B.T/Chandran

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