

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58819 of 2018

Arising Out of PS. Case No.-217 Year-2018 Thana- BATHNAHA District- Sitamarhi

RAM NIVAS TRIVEDI @ RAM NARESH TIWARI @ RAM NIVAS
TIWARI, Son of Sri Lakshayeshwar Tiwari, Resident of Village- Sautiniya,
P.S.- Parihar, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 26-09-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner seeks bail in **Bathanaha P.S. Case No.**
217 of 2018 registered for the offence punishable under Sections
420/34 of the Indian Penal Code and Section 7 of the E.C. Act.

Informant in his written complaint has stated that on
receiving secret information that bags of wheat is being
transported from a truck for black marketing, he along with
SDO Sadar and SDPO Sadar raided a truck and seized 400 bags
of wheat and thereafter on the disclosure of the truck driver 47
bags of wheat and 558 bags of rice were recovered from the
godown of Umesh Bhagat.

It has been submitted on behalf of the petitioner that



he is innocent and has been falsely implicated in this case. It has been further submitted on behalf of the petitioner that the petitioner was driving the truck and is the owner of the truck and his truck was hired by Manoj Kumar for transporting the wheat in question. Petitioner is in custody since 20.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate-Sitamarhi**, in connection with **Bathanaha P.S. Case No. 217 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in



that case, prosecution will be at liberty to
move for cancellation of bail of the petitioner.

(S. Kumar, J)

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