

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10912 of 2018

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1. Omkar Jee @ Onkar @ Onkar Jee, S/o Nirmal Prasad, Resident of
Village- Quazi Tola, K.G. Lal Manjan, P.S.- Ara, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-02-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Ara Mufassil P.S.Case no.256 of 2017 registered for offences
punishable under Section 7 of Essential Commodities Act.

Allegation against the petitioner as per FIR is that the
B.D.O intercepted the vehicle loaded with wheat and rice, which
are of subsidiary and carried through the vehicle from the house of
Chairman of PACS to the shop of the petitioner.

Submission of the learned counsel for the petitioner is that
nothing has been recovered from the shop of the petitioner and his
name has been disclosed on the basis of confession of the co-
accused and except that there is nothing against him.

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 from the date of order, 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 the learned S.D.J.M., Ara in connection with Ara Mufassil P.S.Case No.256 of 2017 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 investigation 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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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