

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49739 of 2018

Arising Out of PS.Case No. -74 Year- 2018 Thana -AWTARNAGAR District- SARAN

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1. Mahadeo Ray, Son of Late Jamuna Rai, resident of Village- Mahuani
Police Station- Awtar Nagar, P.O.- Saidpur Jhawa, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anju Kumari @ Anju Narain

For the Opposite Party/s : Mr. Sri Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 29-08-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Awtar Nagar P.S.Cae No.74/18 dated 22.5.2018 , registered for
offences punishable under Section 7 of the Essential Commodities
Act..

Allegation against the petitioner is that he had closed the
shop for two days and distributing the same through another
Agency as such black-marketing of the same.

Submission of the learned counsel for the petitioner is that
there is no allegation of shortage or not maintaining the register
rather the allegation is that the shop was closed as he was ill and
no show case was asked from the petitioner.

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 receipt of the 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 SDJM, Chapra (Saran) in connection with Awatar Nagar P.S.Case No.74 of 2018 subject to condition 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 direction, this application is allowed.

(Vinod Kumar Sinha, J)

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