

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6120 of 2019

Arising Out of PS. Case No.-165 Year-2018 Thana- BIHARIGANJ District- Madhepura

Upendra Mahto, aged about 50 years, (Male) son of Late Saryug Mahto,
Resident of Village - Bihariganj, Ward No.14, P.S. Bihariganj, District-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh, Adv.

For the Opposite Party/s : Mr.Parmeshwar Mehta (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 05-03-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Bihariganj P.S. Case No. 165 of 2018
registered for the offences punishable under Sections 7(1)(a)(i)
(ii) of the Essential Commodities Act and Section 15(3)(1) of
Decentravition Seed control Order, 1983.

Informant who is Sub-Divisional Agriculture
Officer, Madhepura along with inspection team on secret
information raided the house of petitioner, he recovered 41
packets each packet containing 3 kg. paddy seed of Ariza-6444
Gold Shankar of Byre Company, 75 packets blank wrapper and
machine for sealing the packets have been recovered and when



the original packet has been tallied or compared with the recovered packets, recovered packets appeared to be doubtful.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. The alleged seizure was done in absence of the petitioner. Petitioner has no criminal antecedent and is in custody since 25.10.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Udakishunganj, Madhepura, in connection with Bihariganj P.S. Case No. 165 of 2018, subject to 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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)

Rajiv/-

U		T	
---	--	---	--

