

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5849 of 2019

Arising Out of PS. Case No.-248 Year-2018 Thana- KUSHESHWARASTHAN District-
Darbhanga

SHRAVAN PRASAD, son of Ram Chandra Prasad, r/o. Vill. Kusheshwar
Asthan, P.S. Kusheshwar Asthan, District Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhimanyu Sharma
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged
under Section 7 of the E.C. Act registered in connection with
Kusheshwar Asthan P.S. Case No. 248 of 2018.

3. It is submitted that the petitioner has been falsely implicated
and the customers of the petitioner, who runs a grocery shop used to
keep their LPG cylinders at his shop temporarily while they attended
to their other marketing. The concerned customers have filed a joint
petition to that effect in course of investigation. There is a delay of two
days in instituting the FIR on 17.10.2018 for the alleged occurrence of
15.10.2018. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or
surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioner 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
SDJM, Benipur at Darbhanga, in connection with Kusheshwar Asthan
P.S. Case No. 248 of 2018, subject to the conditions as laid down under
Section 438 (2) Cr.P.C. and also subject to the following further



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 co-operate 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.
- iv. 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.

(Vikash Jain, J)

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