

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7044 of 2019

Arising Out of PS. Case No.-668 Year-2018 Thana- FATUA District- Patna

Sunil Kumar, Male, aged about 49 years, Son of Sri Jawahar Prasad, Resident of Station, Road, Sisa Mill, Police Station Fatuha, District Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Raj Shekhar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-02-2019 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 Essential Commodities Act registered in connection with Fatuha P.S. Case No. 668 of 2018.

3. It is submitted that the petitioner has been falsely implicated as seized 23 bags of rice and 46 bags of wheat, which were recovered from the grocery shop of the petitioner belonged to the local farmers who kept the same for safe custody. In any event, it is submitted that rice and wheat are not controlled items and as such, the alleged accusation of black-marketing against the petitioner is misconceived. 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 Chief Judicial Magistrate, Patna City in connection with Fatuha P.S. Case No. 668 of 2018, subject to the conditions as laid down under



Section 438 (2) Cr.P.C. and with 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 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.

(iv) That the petitioner shall cooperate 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.

BT/Chandran

(Vikash Jain, J)

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