

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8056 of 2019

Arising Out of PS. Case No.-250 Year-2018 Thana- SHAHKUND District- Bhagalpur

RAM PRATAP PASWAN S/o Late Dashrath Paswan, Resident of Village-
Mokimpur, P.S. Sahkund, District Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr. Adv Mr.Dhananjaya Nath Tiwari Ms. Preety Kunwar, Advocates
For the Opposite Party/s :		Mr.J.K.Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 13-02-2019 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 Sahkund P.S. Case No. 250/2018, GR Case No. 6416/2018.

3. It is submitted that the petitioner being a PDS dealer has been falsely implicated in connection with recovery of 30 quintals of arwa rice in 60 bags having marks of FCI and/or Government of Punjab from a pick-up van. It is submitted that the petitioner was not present at the time of occurrence and according to the stock register produced by his family members there was only a shortage of four quintals of rice and that too because the transactions has not been updated therein. The petitioner's PDS licence has since been suspended. This is the first time such an allegation has been made against the petitioner, who 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, Bhagalpur in connection with Sahkund P.S. Case No. 250/2018, GR Case No. 6416/2018 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.

Chandran/-

(Vikash Jain, J)

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