

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24000 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- RAJAOLI District- Nawada

Sachchidanand Prasad, Male, aged about 60 years, Son of Tetar Ram Resident of Village- Hardia (Sector- C), P.S.- Rajauli, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Deepak Kumar, Advocate
For the Opposite Party	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-04-2019 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, 1955 registered in connection with Rajauli P.S. Case No. 26 of 2019.

3. It is submitted that the petitioner, who is a PDS dealer, has been falsely implicated merely on the basis of extra-judicial confessional statement of co-accused Karu Sao, the driver of three-wheel vehicle on which 10 bags of *Arba* rice was loaded except which there is no objective material to connect the petitioner with the alleged occurrence. One Janki Prasad Yadav, a farmer of village Haridya, has come forward claiming the ownership of *Arba* rice. Moreover, the rice has been found in stitched bags and does corroborate the accusation that rise was of PDS shop. 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, Nawada in connection with Rajauli P.S.
Case No. 26 of 2019, subject to the conditions as laid down under
Section 438 (2) of the 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.

(Vikash Jain, J)

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