

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78291 of 2018

Arising Out of PS. Case No.-359 Year-2018 Thana- ALOULI District- Khagaria

Radhe Shyam Yadav @ Bhola Yadav Son of Late Bhuneshwar Yadav resident
of Village- Pokhra, P.S.- Allouli, District-Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.Sri Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Allouli P.S. Case No.359 of 2018 (G.R. No.2878 of 2018)** registered for the offence punishable under Sections 420, 467 and 34 of the Indian Penal Code and under Section 7 of the Essential Commodities Act.

Allegation is of recovery of 402 quintal raw rice from the truck which was being driven by the petitioner and on inquiry no proper receipt of the same was produced by him.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to ulterior motive. He has valid document and registration for running rice mill and he has purchased paddey from different PACS and the product of the mill was transported through valid invoice. Petitioner has got no criminal antecedent and is in



custody since 13.10.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **Sub Divisional Judicial Magistrate, Khagaria**, in connection with **Allouli P.S. Case No.359 of 2018 (G.R. No.2878 of 2018)** with following 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 the Court and his absence on two consecutive dates without sufficient reason, 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)

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