

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77242 of 2018

Arising Out of PS. Case No.-126 Year-2018 Thana- MIRGANJ District-
Purnia

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Ajay Kumar Sah @ Ajay Sah Son of Rajo Sah, Resident of Village- Mirganj,
P.S.- Mirganj, District- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Thakur

For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 17-01-2019 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 Mirganj P.S. Case No. 126 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the seizure of the rice has been made in the absence of the petitioner and nobody else was present in the petitioner's shop. The petitioner has no concern with the seized rice. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, 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, Purnea, in connection with Mirganj P.S. Case No. 126 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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