

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37269 of 2019

Arising Out of PS. Case No.-95 Year-2019 Thana- PAKARIBARAW District- Nawada

1. VIJAY LAL @ VIJAY KUMAR Son of Ramdev Prasad Resident of Village - Jogachak, P.S.- Kowakol, Distt - Nawada.
2. Ashish Kumar @ Vikky Kumar Son of Bhola Prasad Gupta Resident of Village - Makanpur, P.S- Warisaliganj, Distt - Nawada.

... .. 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,Adv Ms. Preety Kunwar,Adv
For the Opposite Party/s	:	Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-06-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 7 of the E.C. Act and Sections 420, 467/34 IPC registered in connection with Pakribarawan P.S. Case No. 95 of 2019.

3. It is submitted that the petitioners have been falsely implicated in connection with recovery of 48 bags of rice and 4 bags of wheat from a pick-up van bearing Registration No. BR 27G 2817. It is further submitted that except suspicion there is no objective material to connect the petitioners with the seized food grains. Since the rice and wheat are decontrolled commodities in terms of Section 3 of the E.C. Act, no offence whatsoever is made out against the petitioners and the petitioners are not even PDS dealers. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners arrest or



surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Sri Bimlesh Kumar, learned Judicial Magistrate Ist Class, Nawada in connection with Pakribarawan P.S. Case No. 95 of 2019, 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 petitioners.

ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.

iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves 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 petitioners 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/-

U		T	
---	--	---	--

