

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44779 of 2019**

Arising Out of PS. Case No.-53 Year-2019 Thana- FULKAHA District-
Araria

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BHIM AGRAWAL @ BHIM KUMAR AGRAWAL, male, aged about 55 years,
S/o Late Gobardhan Das Agrawal Resident of Village- Sultan Pokhar, P.S.-
Forbesganj, District- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Prasad Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 22-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 420 of the Indian Penal Code and Section
3/6 of Bihar Bricks Supplying and Price Control Act, 1984
registered in connection with Fulkaha P.S. Case No. 53 of 2019.

3. It is submitted that the petitioner has been falsely
implicated on the accusation of having overcharged the price at
the rate of Rs. 8,600/- per thousand and Rs. 700/- per thousand
as carrier charge for 2000 bricks sold to the informant and issued
a challan which does not bear the price charged. It is submitted
that the rate fixed by the District Magistrate has not been stated
and as such there is no violation or offence committed by the
petitioner. The offence under the Bihar Bricks Supplies and Price
Control Act, 1984 is bailable. 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 Sri Ashish Ranjan, learned Judicial Magistrate 1st Class, Araria in connection with Fulkaha P.S. Case No. 53 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 petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) 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.

(iv) 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.

(Vikash Jain, J)

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