

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41779 of 2019**

Arising Out of PS. Case No.-92 Year-2019 Thana- RAMGARHWA District-
East Champaran

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LAXMAN BHARTI, aged about 60 years, male, S/o Late Ramcharitra
Bharti, R/O Village- Champapur, R.P. Ramgadhawa, District- East
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party: Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 7 of the Essential Commodities Act of the
Indian Penal Code registered in connection with Ramgadhwa P.S.
Case No. 92 of 2019.

3. It is submitted that the petitioner has been falsely
implicated in connection with alleged recovery of 135 litres of
kerosene oil being carried by the petitioner for blackmarketing. It
is submitted that the petitioner has a P.D.S. shop who has not
been arrested at the spot, rather prosecution case has been made
at the instance of Ranjit Bharti and Ramjee Bharti in whose
presence the alleged occurrence took place and there is history of
disputes between the said persons and the petitioner and each
side has lodged two F.I.Rs. Except such two cases, 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 Sub-Divisional Judicial Magistrate, Raxaul at Motihari in connection with Ramgadhwa P.S. Case No. 92 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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