

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79712 of 2018

Arising Out of PS. Case No.-212 Year-2018 Thana- SARAI District- Vaishali
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Sakindra Rai Son of Late Ram Lakhan Rai Resident of Village - Manjhauli
Mohamadpur Bujurg, P.S.- Sarai, District- Vaishali

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate.
Mr. Dhananjaya Nath Tiwari, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-01-2019 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 and 420, 406, 353 of the Indian Penal Code registered in connection with Sarai P.S. Case No. 212 of 2018.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged recovery of 7 cards of the consumer, and not maintaining proper books of account relating to kerosene oil. Some bags of wheat and rice were also found in the stock of the petitioner who happens to be the PDS dealer for more than 25 years. It is submitted that this is the first complaint of its nature in all these years and petitioner claims clean antecedents. The petitioner's license has already been suspended by order dated 24.11.2018.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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 Additional Chief Judicial Magistrate- XIII, Hajipur, Vaishali in connection with Sarai P.S. Case No. 212 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) 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) 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)

Ibrar/Chandran

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