

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66481 of 2019

Arising Out of PS. Case No.-422 Year-2019 Thana- HILSA District- Nalanda

JAGDISH PRASAD S/o Late Doman Sao R/O- vill- Kapsiyawan, P.S.- Hilsa,
Distt.- Nalanda.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rajdeo Kumar Rajak S/o Late D. Ranjan R/o Begampur, PS Patnacity, Distt. Patna, at present Block Supply Officer Cum Block Development Officer, Hilsa, Distt.- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr. Adv Mr.Amresh Kumar Sinha,Adv Ms. Preety Kunwar, Adv
For the Opposite Party/s :		Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-11-2019 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 Hilsa P.S. Case No. 422/2019.

3. It is submitted that the petitioner has been falsely implicated on the accusation of certain irregularities in the PDS shop of the petitioner as complained by some consumers. It is submitted that the petitioner is a 79 years old man and has been running the PDS shop for more than 30 years and no such complaint in the past has been made. Out of 600 consumers, 11 consumers had given their complaint, but subsequently they have given affidavits that they have been misguided by the authorities, as stated in para 22 of the petition. It is therefore submitted that the very foundation of the accusation is doubtful. 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 SDJM, Hilsa, Nalanda, in connection with Hilsa P.S. Case No. 422/2019, 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 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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