

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5878 of 2019

Arising Out of PS. Case No.-449 Year-2018 Thana- GARKHA District-
Saran

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Prabhunath Rai, s/o. Late Baijnath Rai R/oVillage- Pohiya, P.S-Garkha,
Distt.-Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anurag Saurav

For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-02-2019 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 Garkha
P.S. Case No. 449 of 2018.

3. It is submitted that the petitioner has been falsely implicated
on mere suspicion and merely on the basis of a complaint by a few PDS
consumers that the PDS dealers were not distributing ration to them.
It is submitted that such complaints have been received from Dukhni
Devi, Bhuvari Devi, Radhika Devi and Sunapati Devi, none of whom
however, are not the consumers of the PDS shop of the petitioners.
Other similarly situated co-accused PDS dealers have been granted
anticipatory bail by the learned Court below. 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, Saran at Chapra, in connection with Garkha P.S. Case No. 449 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. 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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