

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80472 of 2018

Arising Out of PS. Case No.-358 Year-2018 Thana- TAJPUR District-
Samastipur

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Raju Sah, son of Ramchandra Sah, r/o. Ward No .9, Kubauli Ram, P.S.
Bangra, Dist. Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr. Adv

Mr.Vijay Anand, Adv

For the Opposite Party/: Mr.J.K.Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 17-01-2019 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 registered in connection with Tajpur P.S.
Case No. 358 of 2018.

3. It is submitted that the petitioner has been falsely implicated
in connection with recovery of 300 bags of rice and wheat which were
found kept in jute bags with FCI mark. It is submitted that the
petitioner is a trader registered under G.S.T. and is also an income tax
assessee. It is submitted that FCI marked bags are easily available in the
market and no adverse inference can be drawn particularly on that
basis. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and
circumstances, 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



ACJM Ist, Samastipur, in connection with ajpur P.S. Case No. 358 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.

Chandran/-

(Vikash Jain, J)

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