

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24747 of 2020

Arising Out of PS. Case No.-417 Year-2015 Thana- MAJHAULIA District- West Champaran

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ASHOK SINGH S/O Late Sajawal Singh @ Sanjul Singh Resident of
Rasauli, P.S. - Panapur, Dist - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Khursid Alam

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-09-2020 As of now, the Courts have not resumed normal physical
hearing. The matter has been listed today for consideration
through Video Conferencing.

Learned counsel are appearing and making submissions
from their residence. The Court master and Secretary are also
part of this virtual Court proceedings with the aid of audio
visual technology.

Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is expected to honor his
undertaking given in the instant case for depositing the requisite
court fee and to remove the defects as pointed out by office
when called upon.

The petitioner seeks bail in Majhauria P.S. Case no. 417



of 2015 instituted for the offence under Section 7 of the E.C. Act.

Some blue coloured kerosene oil for public distribution was allegedly being sold by stopping a tanker on road. The petitioner has been arrested in the said case as allegedly being the driver.

It is submitted by the petitioner's counsel that the cleaner of the vehicle in-question who was arrested at the spot, has himself disclosed the name of one Vijay Singh as driver. He has given details and whereabouts of the persons, including the owner of the vehicle. The petitioner, much later and during the course of investigation, has been framed as a proxy driver to save the real driver and owner of the vehicle in- question. He was arrested on 13.11.2019 and was forwarded in the instant case on 14.11.2019 whereafter he was in custody. Charge sheet has already been submitted and petitioner bears no criminal antecedents.

The learned APP has opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the SDJM Bettiah (WC) in



connection with Majhauria P.S. Case no. 417 of 2015 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled

(Madhuresh Prasad, J)

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