

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27968 of 2020**

Arising Out of PS. Case No.-46 Year-2020 Thana- RUDRAPUR District- Madhubani

JAGNARAYAN MAHTO Son of Late Rup Lal Mahto Resident of Village -
Mahrail, P.S.- Rudrapur, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Namrata Mishra, Advocate

For the Opposite Party/s : Mr. Kumar Virendra Narayan, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 02-11-2020 Learned counsel for the petitioner undertakes to
remove all the defects within four weeks after the start of
normal functioning of this Court.

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

The petitioner in the present case is seeking regular
bail in connection with Rudrapur P.S. Case No. 46 of 2020
registered for the offences punishable under Section 7 of the
Essential Commodities Act.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in this case on the basis of
the so-called video sent on the whatsapp of the informant
allegedly showing that this petitioner was moving in the market
and was engaged in black marketing of 50kg of wheats.



Learned counsel for the petitioner submits that neither the petitioner was intercepted while his alleged indulgence in the black marketing nor any beneficiary has made any complaint with respect to non-supply of the wheats. Moreover, the inquiry report prepared by the Block Supply Officer is nothing but a mere paper work without any appropriate opportunity to the petitioner to explain his case, The petitioner is in jail since 17.06.2020.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering that the petitioner has already remained in judicial custody for about four and half months, investigation against him is complete, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Jhanjarpur, Madhubani in connection with Rudrapur P.S. Case No. 46 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

The application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

