

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49633 of 2021

Arising Out of PS. Case No.-121 Year-2021 Thana- LAUKAHI District- Madhubani

JIWACHH RAM Son of Laqte Bechu Ram Resident of Village - Kharagpur,
Ward No.11, P.O.- Kakardobh, P.S.- Laukahi, Distt.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar Singh, Adv.
		Mr. Priya Ranjan Singh, Adv.
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-12-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Laukahi P.S. Case No. 121 of 2021 registered for the offence under Sections 420/34 of the Indian Penal Code and Section 7 of the E.C. Act, 1955.

The petitioner, who is said to be PDS dealer, along with one Yogendra Sah are alleged to have engaged in black marketing of wheat-grains.

Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, the petitioner happens to be a PDS dealer since 1996 and no complaint against him is made by any co-villager prior to institution of the instant F.I.R. The petitioner is having land dispute with one Raj Kumar Mandal on whose instance the Supply Inspector has instituted this case. Charge-sheet in this case has already been submitted on 16.07.2021. The petitioner, who is a senior citizen having age of 62 years, is rotting in judicial custody since 09.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned S.D.J.M., Jhanjharpur in connection with Laukhai P.S. Case No. 121 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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