

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22083 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- NARPATGANJ District- Araria

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ASHISH KUMAR SINGH @ CHHOTU SINGH @ CHOTU KUMAR
SINGH Son of Subodh Singh R/V- Chharrapatti Ward no. 5, PS- Uda
Kishunganj, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
13.01.2023, in connection with Narpataganj P.S. Case No. 21 of
2023, F.I.R. dated 12.01.2023 registered for the offences
punishable under Sections 7 of the Essential Commodities Act.

The case relates to recovery of 508 bags each 45 Kg.
urea fertilizer from the truck.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that as per
allegation that 508 bags urea fertilizer has been recovered from
the truck in question. Learned counsel for the petitioner further



submits that the petitioner has no concern at all with the alleged recovery and co-accused Rakesh Kumar Yadav who is the owner of the urea fertilizer and the petitioner is the driver of the truck in question. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 13.01.2023.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria in connection with Narpataganj P.S. Case No. 21 of 2023, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(3) 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 antecedents, 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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