

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34838 of 2023**

Arising Out of PS. Case No.-270 Year-2022 Thana- CHHAURADANO District- East
Champaran

=====

SONA LAL SAH @ SONA LAL KUMAR Son of Jangi Lal Sah R/o Village -
Khairwa, P.S.- Chhauradano, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

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

=====

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

- 3 04-08-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. Petitioner, who is in custody since 24.03.2023 seeks
bail, in connection with Chhauradano P.S. Case No.270/2022,
dated 07.08.2022, for the offence punishable under Section 7 of
the Essential Commodities Act.
3. According to prosecution case, 120 bags of urea is
said to have been recovered from the house of the petitioner.
4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that as per
allegation in the F.I.R., 120 bags of urea have been recovered
from shop of the petitioner without any document/permit to



show the storage of the urea. He further submits that the petitioner is neither the licency nor the P.D.S. dealer, so, he has not violated Section 3 of the E.C. Act and therefore, Section 7 of the E.C. Act is not attracted against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 24.03.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 learned S.D.J.M., Raxaul, Motihari in connection with Chhauradano P.S. Case No. 270/2022, 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



witnesses, 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 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)

amit/-

U		T	
---	--	---	--

