

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67603 of 2022

Arising Out of PS. Case No.-303 Year-2022 Thana- UDAKISHUNGANJ District-
Madhepura

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RAJ KUMAR MUKHIYA Son of Late Bandelal Mukhiya Resident of Naya
Bazar, Ward No.- 13, P.S.- Bihariganj, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Anil Prasad Singh, Advocate
	:	Mr. Abhijeet Gautam, Advocate
For the Opposite Party/s	:	Mr.Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-03-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Section 7 of Essential Commodities Act.

The prosecution case, in short, is that the informant
alleged that a pick-up Van loaded with rice has been seized. On
search, 57 sacks each sacks containing 50 Kgs of rice in Jute
sacks, total 28 quintals 50 Kgs were found.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent and he has falsely been
implicated in the present case. Further submits that the
allegation as alleged in the FIR is false and fabricated and no
such occurrence took place and the seized rice is not the



Government rice and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 07.09.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, 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 learned court below where the case is pending in connection with Udakishunganj P.S. Case No. 303 2022, 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 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)

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