

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74265 of 2022

Arising Out of PS. Case No.-48 Year-2022 Thana- DHARHARA District- Munger

SRISHTI W/O Deepak Kumar R/O- Village- Pachrukhi, P.O- Itwa, P.S-
Dharahra, District- Munger, Pincode- 811212

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ambrish Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Dharhara P.S. Case No. 48 of 2022 dated 19.03.2022
registered for the offence under Sections 188, 353, 504, 506
and 34 of the Indian Penal Code and Section 7 of the
Essential Commodities Act.

The petitioner being a PDS dealer is alleged to have
been found engaged collecting extra money for distributing
the commodities comes under the PDS.

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. He



further submits that the petitioner is a PDS dealer and the allegation against him is that he was selling kerosene oil for Rs. 60 per liter instead of prescribed rate of Rs. 56.11/- per liter. He further submits that the petitioner was not present at the time of inspection. He further submits that the allegation leveled in the F.I.R. is false and fabricated and no one has come forward to support the prosecution. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 22.11.2022.

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., Munger in connection with Dharhara P.S. Case No. 48 of 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 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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