

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76016 of 2023

Arising Out of PS. Case No.-6 Year-2019 Thana- SIMRI District- Buxar

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RAMJEE PRASAD @ RAMJEE KESHRI @ RAMJEE PRASAD KESHRI
@ SRI RAMJEE KESHRI S/O SARAJU SHAH @ SARYU KESHRI
VILLAGE- SIMRI DUDHIPATTI, PS. SIMRI, DIST. BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-11-2023 Heard Mr. Anil Kumar Singh, learned counsel for the

petitioner and Mr. Parmeshwar Mehta, learned APP for the

State.

2. The petitioner is apprehending his arrest
connection with Simri P.S. Case No. 06 of 2019, F.I.R. dated
05.01.2019 registered for the offences punishable under Section
7 of the Essential Commodities Act.

3. Allegation against the petitioner is that the
informant along with other Officials raided the shop of
petitioner and found two gas cylinders of Indane Company, one
gas cylinder of HP Company and one small 4 litres gas cylinder
regarding which he did not produce any valid document.

4. 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 the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and no case is made out under the 7 of the Essential Commodities Act.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Additional District & Sessions Judge-III, Buxar in connection with Simri P.S. Case No. 06 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 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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